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सं० 29]

नई दिल्ली, शनिवार, जुलाई 22, 1995/असाढ़ 31, 1917

No. 29]

NEW DELHI, SATURDAY, JULY 22, 1995/ASADHA 31, 1917

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में
रखा जा सके
Separate Paging is given to this Part in order that it may be filed as a
separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii) PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांख्यिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(other than the Ministry of Defence)

विविध, न्याय और कम्पनी कार्य मंत्रालय
(विविध कार्य विभाग)
(न्यायिक अनुभाग)
सूचना

MINISTRY OF LAW JUSTICE AND COMPANY AFFAIRS
(Department of Legal Affairs)
(Judicial Section)
NOTICE

नई दिल्ली, 29 जून, 1995

New Delhi, the 29th June, 1995

का.आ. 1981:—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री आनन्द प्रकाश वर्मा, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे राष्ट्रीय राजधानी दिल्ली में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

S.O. 1981.—Notice is hereby given by the Competent Authority in pursuance of Rule 6a of the Notaries Rules, 1956 that application has been made to the said Authority, under Rule 4 of the said Rules, by Shri Anand Parkash Verma, Advocate for appointment as a Notary to practice in NCT of Delhi.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[सं. 5(103)/95—न्यायिक]
पी.सी.कण्णन, सक्षम प्राधिकारी

[No. F. 5(103)/95-Judl.]
P. C. KANNAN, Competent Authority.

सूचना

नई दिल्ली, 29 जून, 1995

का.आ. 1982:—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री सचिन्द्र नाथ सक्सेना एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे कोटा सिटी (राजस्थान) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5(104)/95—न्यायिक]

पी.सी. कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 29th June, 1995

S.O. 1982.—Notice is hereby given by the Competent Authority in pursuance of Rule 6a of the Notaries Rules, 1956 that application has been made to the said Authority, under Rule 4 of the said Rules, by Shri Sachindra Nath Saxena, Advocate for appointment as a Notary to practise in Kota City (Rajasthan).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[No. F. 5(104)/95-Judl.]

P. C. KANNAN, Competent Authority.

सूचना

नई दिल्ली, 29 जून, 1995

का.आ. 1983:—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री पूरब सिंह नेगी, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे टिहरी गढ़वाल (उत्तरप्रदेश) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5(105)/95—न्यायिक]

पी.सी. कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 29th June, 1995

S.O. 1983.—Notice is hereby given by the Competent Authority in pursuance of Rule 6a of the Notaries Rules, 1956 that application has been made to the said Authority, under Rule 4 of the said Rules, by Shri Purab Singh Negi, Advocate for appointment as a Notary to practise in Tehri Garhwal (U.P.).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[No. F. 5(105)/95-Judl.]

P. C. KANNAN, Competent Authority

सूचना

नई दिल्ली, 29 जून, 1995

का.आ. 1984:—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री वी.आर. निकम, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे थाने जिला (महाराष्ट्र) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए:

[सं. 5(106)/95—न्यायिक]

पी.सी. कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 29th June, 1995

S.O. 1984.—Notice is hereby given by the Competent Authority in pursuance of Rule 6a of the Notaries Rules, 1956 that application has been made to the said Authority, under Rule 4 of the said Rules, by Shri V. R. Nikam, Advocate for appointment as a Notary to practise in Thane Distt. (Maharashtra).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[No. F. 5(106)/95-Judl.]

P. C. KANNAN, Competent Authority

सूचना

नई दिल्ली, 29 जून, 1995

का.आ. 1985:—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्रीमती भीमकौर किल्लर, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे रोहतक (हरियाणा) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5(107)/95—न्यायिक]

पी.सी. कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 29th June, 1995

S.O. 1985.—Notice is hereby given by the Competent Authority in pursuance of Rule 6a of the Notaries Rules, 1956 that application has been made to the said Authority, under Rule 4 of the said Rules, by Smt. Bhim Kaur Chillar, Advocate for appointment as a Notary to practise in Rohtak (Haryana).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[No. F. 5(107)/95-Judl.]

P. C. KANNAN, Competent Authority

सूचना

नई दिल्ली, 3 जुलाई, 1995

का.आ. 1986:—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री किशन चन्द सक्करवाल एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे राष्ट्रीय राजधानी दिल्ली क्षेत्र करोल बाग में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5 (108)/95-न्यायिक]

पी.सी. कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 3rd July, 1995

S.O. 1986.—Notice is hereby given by the Competent Authority in pursuance of Rule 6a of the Notaries Rules, 1956 that application has been made to the said Authority, under Rule 4 of the said Rules, by Shri Kishan Chand Sakharwal, Advocate for appointment as a Notary to practise in Karol Bagh, NCT of Delhi.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[No. F. 5(108)/95-Judl.]

P. C. KANNAN, Competent Authority.

सूचना

नई दिल्ली, 3 जुलाई, 1995

का.आ. 1987 :—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री सी. वैकटापथी, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे बेंगलूर (कर्नाटक) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5 (109)/95-न्यायिक]

पी.सी. कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 3rd July, 1995

S.O. 1987.—Notice is hereby given by the Competent Authority in pursuance of Rule 6a of the Notaries Rules, 1956 that application has been made to the said Authority, under Rule 4 of the said Rules, by Shri C. Venkatapathy, Advocate for appointment as a Notary to practise in Bangalore (Karnataka).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[No. F. 5(109)/95-Judl.]

P. C. KANNAN, Competent Authority.

सूचना

नई दिल्ली, 3 जुलाई, 1995

का.आ. 1988 :—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री स्वप्न कुमार कार, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उन मिदनापुर जिला (पश्चिम बंगाल) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5 (110)/95-न्यायिक]

पी.सी. कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 3rd July, 1995

S.O. 1988.—Notice is hereby given by the Competent Authority in pursuance of Rule 6a of the Notaries Rules, 1956 that application has been made to the said Authority, under Rule 4 of the said Rules, by Shri Swapan Kumar Kar, Advocate for appointment as a Notary to practise in Midnapore Distt. (West Bengal).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice

[No. F. 5(110)/95-Judl.]

P. C. KANNAN, Competent Authority

सूचना

नई दिल्ली, 3 जुलाई, 1995

का.आ. 1989 —नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री आर. एस. गुप्ता, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे राष्ट्रीय राजधानी दिल्ली क्षेत्र में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5 (111)/95-न्यायिक]

पी.सी. कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 3rd July, 1995

S.O. 1989.—Notice is hereby given by the Competent Authority in pursuance of Rule 6a of the Notaries Rules, 1956 that application has been made to the said Authority, under Rule 4 of the said Rules, by Shri R. S. Gupta, Advocate for appointment as a Notary to practise in N.C.T. of Delhi.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[No. F. 5(111)/95-Judl.]

P. C. KANNAN, Competent Authority

सूचना

नई दिल्ली, 11 जुलाई, 1995

का.आ. 1990.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री पी. सूर्य नारायणा के उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे विजयवाड़ा अन्ध्र प्रदेश में नोटरी के व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5 (113)/95-न्यायिक]

पी. सी. कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 11th July, 1995

S.O. 1990.—Notice is hereby given by the Competent Authority in pursuance of Rule 6a of the Notaries Rules, 1956 that application has been made to the said Authority, under Rule 4 of the said Rules, by Shri P. Suryanarayana for appointment as a Notary to practise in Vijayawada (Andhra Pradesh).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[No. F. 5(113)/95-Judl.]

P. C. KANNAN, Competent Authority

वित्त मंत्रालय

(राजस्व विभाग)

नई दिल्ली, 31 मई, 1995

(आयकर)

का. आ. 1991.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23-ग) के उपखंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा “श्री रंगनाथ स्वामी आदि देवस्थानमस, शरीरागंम, त्रिचीरापल्ली जिला—तमिलनाडु” को कर-निर्धारण वर्ष 1993-94 से 1995-96 तक के लिए निम्नलिखित शर्तों के अधीन रहते हुए उक्त उपखण्ड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

(i) कर निर्धारिती इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है ;

(ii) कर-निर्धारिती ऊपर उल्लिखित करनिर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक अंशदान से भिन्न) का नवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा ;

(iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जोकि कारोबार से प्राप्त लाभ तथा अभिलाभ रूप में हो जब तक कि ऐसा कारोबार उक्त कर निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संदर्भ में अलग से लेखा पुस्तिकाएं नहीं रखी जाती हों।

[अधिसूचना सं. 9778 (फा. सं. 197/184/94-आ कर नि-I)]

एच. के. चौधरी, अवसर सचिव

MINISTRY OF FINANCE

(Department of Revenue)

New Delhi, the 31st May, 1995

(INCOME-TAX)

S.O. 1991.—In exercise of the powers conferred by sub-clause (v) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies “Sri Ranganathaswamy Etc. Devasthanams, Srirangam, Trichirapalli District, Tamil Nadu” for the purpose of the said sub-clause for the assessment years 1993-94 to 1995-96 subject to the following conditions, namely :—

(i) the assessment will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established ;

(ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;

(iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 9778 (F. No. 197/184/94-ITA.I)]

H. K. CHOUDHARY, Under Secy.

नई दिल्ली, 31 मई, 1995

(आयकर)

का. आ. 1992.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उपखंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा “नेशनल स्पिरिटयूअल असेम्बली आफ द बहाइज आफ इंडिया, नई दिल्ली” को कर निर्धारण वर्ष 1995-96 1996-97 और 1997-98 तक के लिए निम्नलिखित शर्तों के अधीन रहते हुए उक्त उपखंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

(i) कर-निर्धारिती इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है ;

(ii) कर-निर्धारिती ऊपर उल्लिखित कर निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से इसकी निधि

(जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त रख-रखाव में स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा।

(iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकाएं नहीं रखी जाती हों।

[अधिसूचना सं. 9780/का.सं. 197/170/94-आ. करनि-I]
एच. के. चौधरी, अवसर सचिव

New Delhi, the 31st May, 1995
(INCOME-TAX)

S.O. 1992.—In exercise of the powers conferred by sub-clause (v) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "National Spiritual Assembly of the Bahai is of India, New Delhi" for the purpose of the said sub-clause for the assessment years 1995-96, 1996-97 and 1997-98 subject to the following conditions, namely :—

- (i) the assessment will apply its income, or accumulate for application, wholly and exclusively to the subjects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the Business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 9780/F. No. 197/170/94-ITA-I]

H. K. CHOUDHARY, Under Secy.

केन्द्रीय उत्पाद शुल्क आयुक्त का कार्यालय
अधिसूचना सं. 03/95 कस्टम्स (एन टी)

कानपुर, 7 जुलाई, 1995

सीमा-शुल्क

का.आ. 1993.—सीमा शुल्क अधिनियम 1962 की धारा 152 के खंड "क" व राजस्व विभाग, वित्त मंत्रालय भारत सरकार नई दिल्ली की अधिसूचना सं. 33/94-सीमा शुल्क (एनटी), दिनांक 1 जुलाई, 1994 के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैं अधोहस्ताक्षरी एम. सी. कोल, आयुक्त

केन्द्रीय उत्पाद एवं सीमा शुल्क कानपुर एतद्वारा उत्तर प्रदेश के अलीगढ़ जनपद के अनूप गहर रोड, सहसील कोल, ग्राम छेराट सूदियाल, स्थित, हिन्द एग्रो इन्डस्ट्रीज लि. उत्तर प्रदेश (सेन्ट्रल डेरी फार्म कम्प्लेक्स) की सीमा शुल्क अधिनियम, 1962 की धारा 9 के अन्तर्गत 100/100 ई. ओ. यू. (नियंतांन्मुखी इकाई) व्यवस्थित करने के उद्देश्य से एक भण्डारण गृह घोषित करता हूँ।

[सं. 8 (40) 56-सीयूएस/हिन्द/आगरा/इन्स्ट/लि./95/14812]
एम. सी. कोल, आयुक्त

(Office of the Commissioner, Central Excise)
NOTIFICATION NO. 03/95-CUSTOMS(NT)
Kanpur, the 7th July, 1995
CUSTOMS

S.O. 1993.—In exercise of the power delegated to the undersigned vide Notification No. 33/94-CUS(NT), dated the 1st July, 1994 by the Government of India, Ministry of Finance, Department of Revenue, New Delhi under clause (a) of Section 152 of the Customs Act, 1962 I, M. C. Kaul, Commissioner of Customs and Central Excise, Kanpur hereby declare Hind Agro Industries Limited, Uttar Pradesh Pashudhan Udyog Nigam Limited (Central Dairy Farm Complex) Village Chherat Sudiyal, Teh-Kol, Anup Shahar Road, Aligarh in Uttar Pradesh to be a warehousing station under section 9 of the Customs Act, 1962 for the purposes of setting up of 100 per cent E.O.U.

[F. No. VIII(40)56-Cus/Hind/Agra/Inst./Ltd./95/14812]
M. C. KAUL, Commissioner

सीमा शुल्क एवं केन्द्रीय उत्पाद शुल्क के आयुक्त का कार्यालय
अधिसूचना सं. 1/95-सीमा-शुल्क

हैदराबाद, 8 जून, 1995

का.आ. 1994.—सीमा शुल्क के आयुक्त को सीमा शुल्क अधिनियम, 1962 की धारा 8(बी) द्वारा प्रदत्त शक्तियों के आधार पर मैं, डा. एस. एन. वृत्ति, आयुक्त, सीमा शुल्क, हैदराबाद, निम्नलिखित स्थान को सीमा शुल्क (स्थान) घोषित करता हूँ। यह स्थान इन्लैंड कंटेनर डिपो तथा कंटेनर फराइट स्टेशन सनत नगर, हैदराबाद के अंतर्गत हैं।

इन्लैंड कंटेनर डिपो : सनत नगर : हैदराबाद

1. भौगोलिक अवस्थिति : नया रेलवे गुडस शेड कामप्लेक्स मूसापेट, सनत नगर
हैदराबाद - 500018
2. कुल क्षेत्र : 34,768 स्कावयर मीटर्स, जिसमें से 240 स्कावयर मीटर भूमि नक्शे के अनुसार शेड बना है।

3. सीमाएं :

उत्तर-पूर्व i मैसर्स फातिमा गोडोन कामप्लेक्स,

श्री शेक हुसैन, सर्वे नं. 850 एवं 851

उत्तर-पश्चिम : दक्षिण मध्य रेलवे का 40 फीट निजी रोड जो सनत नगर रेलवे गुड्स शेड कामप्लेक्स की ओर जाती है।

दक्षिण—: मैसर्स कानकार का खाली स्थल जो सर्वे सं. 858 का है यह दक्षिण मध्य रेलवे के खुले स्थल से मिला है और सनत नगर गुड्स शेड कामप्लेक्स के प्लॉट फार्म सं. 4 से संलग्न है।

पश्चिम : ट्रक का अंत तथा 40 फीट रोड जो दक्षिण मध्य रेलवे के सनत नगर गुड्स शेड कामप्लेक्स की ओर जाती है।

पूर्व : मैसर्स कानकार का खाली स्थल जो सर्वे सं. 854 में है।

कंटेनर फाराइट स्टेशन : सनत नगर : हैदराबाद

- भौगोलिक अवस्थिति : नई रेलवे गुड्स शेड कामप्लेक्स के निकट, मोसापेट, सनत नगर, हैदराबाद - 500018

सं. 7-20/11 से 13 तक

2. कुल क्षेत्र : 4193.65 स्क्वायर मीटर भूमि नक्शे के अनुसार

3. सीमाएं :

उत्तर-पूर्व : श्री एन. डी. रेड्डी का गोदाम

उत्तर-पश्चिम : श्री ए. यादवदा का गोदाम

दक्षिण : 40 फीट रोड

पूर्व : गुड्स शेड की ओर जाने वाली 30 फीट रोड

पश्चिम : 30 फीट रोड तथा श्री येलमदा का गोदाम

यह अधिसूचना पूर्व अधिसूचना सं. 1/90-सीमा शुल्क (सी. सं. 8/48/63/85 - सीमा शुल्क) दिनांक 27 अक्टूबर, 1990 के प्रतिस्थापन में जारी किया गया है।

[सी. सं. 8/48/69/96 - सीमा शुल्क]

डा. एम. एन. बसि, आयुक्त

OFFICE OF THE COMMISSIONER OF CUSTOMS AND CENTRAL EXCISE NOTIFICATION NO. 1/95—CUSTOMS

Hyderabad, the 8th June, 1995

S.O. 1994.—In exercise of the powers conferred on Commissioner of Customs under Section 8(B) of the Customs Act, 1962, I, Dr. S.N. Busi, Commissioner of Customs, Hyderabad hereby specify the following area as "Customs area" in respect of Inland Container Depot and Container Freight Station at Sanathnagar, Hyderabad as under:

INLAND CONTAINER DEPOT: SANATHNAGAR: HYDERABAD

- Geographical Location:** New Railway Goods Shed Complex, Moosapet, Sanathnagar, Hyderabad-500 018.
- Total Area** : 34,768 Square Meters, as per the ground plan including the area of shed measuring 240 Square Meters.
- Boundaries** :
 - North-East** : M/s. Fatima Godown Complex of Shri Shaik Hussain in Survey Nos. 850 & 851
 - North-West** : The "40 feet" private road of South Central Railway leading to Sanathnagar Railway Goods Shed Complex.
 - South** : Vacantland of M/s. CONCOR in Survey No. 858 adjacent to open land of South Central Railway and Platform No. 4 of Sanathnagar Goods Shed Complex.
 - West** : Dead end of the track and 40 feet road of South Central Railway leading to Sanathnagar Goods Shed Complex.

East:

Vacant land of M/s. CONCOR in Survey No. 854.

CONTAINER FREIGHT STATION SANATHNAGAR

1. Geographical Location: Near New Railway Goods Shed Complex,
Moosapet,
Sanathnagar,
Hyderabad-500018.
Bearing No. 7-20/11 to 13
2. Total Area 4193.65 Square Meters, as per the Ground Plan.
3. Boundaries:
 - North-East The Godown of Shri N.D. Reddy.
 - North-West The Godown of Shri A. Yadaiah
 - South "40 feet" Road.
 - East "30 feet" Road leading to Goods Shed.
 - West : "30 feet" Road and the Godown of Shri Ellamanda.

This Notification is issued in supersession of previous Notification No. 1/90-Cus (C. No. VIII/48/63/85 Cus dated October, 27, 1990)

[C. No. VIII/48/69/94-Customs]

DR. S N. BUSI, Commissioner

(आर्थिक कार्य विभाग)

नई दिल्ली, 10 जुलाई, 1995

(बैंकिंग प्रभाग)

नई दिल्ली, 7 जुलाई, 1995

का.आ. 1995 :—बैंककारी विनियमन अधिनियम 1949, (1949 का 10) की धारा 56 के साथ पठित धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार, भारतीय रिजर्व बैंक की सिफारिश पर, घोषणा करती है कि उक्त अधिनियम की धारा 11 की उपधारा 1 के उपबंध सरकारी राजपत्र में इस अधिसूचना के प्रकाशन की तारीख से, 31 मार्च, 1998 तक, शिमोगा जिला मध्यवर्ती सहकारी बैंक लि., शिमोगा (कर्नाटक राज्य) पर लागू नहीं होंगे।

का.आ. 1996 :—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) स्कीम, 1970 के खंड 3 के उपखंड (1) के साथ पठित बैंककारी कंपनी (उपक्रमों का अर्जन और अंतरण) अधिनियम, 1970 की धारा 9 की उपधारा (3) के खंड (ड) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा, श्री एच. वसन्त राय, विशेष सहायक, केनरा बैंक, छावनी शाखा, एम. जी. रोड, बंगलूर को दिनांक 10 जुलाई, 1995 से 30 सितम्बर, 1997 अर्थात् उस तारीख को जब तक वह बैंक की सेवा से सेवानिवृत्त होते हैं, तब तक के लिए केनरा बैंक के निदेशक बोर्ड में निदेशक के रूप में नियुक्त करती है।

[सं. 1(11)/95-एसी]

[सं. 15/2/92-आई.आर.]

सुधीर श्रीवास्तव, उपसचिव

एस. के. बतरा, अवर सचिव

(Department of Economic Affairs)

New Delhi, the 10th July, 1995

(Banking Division)

New Delhi, the 7th July, 1995

S.O. 1995.—In exercise of the powers conferred by Section 53 read with Section 56 of the Banking Regulation Act, 1949 (10 of 1949) the Central Government on the recommendations of the Reserve Bank of India declares that the provisions of sub-section 1 of Section II of the said Act shall not apply to the Shimoga District Central Co-operative Bank Ltd., Shimoga (Karnataka State) from the date of publication of this notification in the Official Gazette to 31st March, 1998.

S.O. 1996.—In exercise of the powers conferred by Clause (e) of sub-section (3) of Section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970, read with sub-clause (1) of Clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government hereby appoints Shri H. Vasanth Rai, Special Assistant, Canara Bank, Cantonment Br., M. G. Road, Bangalore as a Director on the Board of Directors of Canara Bank with effect from 10th July, 1995 to 30th September, 1997 i.e. the date on which he retires from the service of the bank.

[F. No. 1(11)/95-AC]

[F. No. 15/2/94-IR]

SUDHIR SRIVASTAVA, Dy. Secy.

S. K. BATRA, Under Secy.

वाणिज्य मंत्रालय

MINISTRY OF COMMERCE

नई दिल्ली, 5 जुलाई, 1995

New Delhi, the 5th July, 1995

का.धा. 1997.—निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार खनिज तथा अयस्क (ग्रुप-I) यहाँ इससे उपाबंध अनुसूची में विनिर्दिष्ट खनिज तथा अयस्क ग्रुप-1 का निर्यात से पूर्व निरीक्षण करने के लिए मैसर्स जिओ कैम लेबोरेट्रीज (प्रा.) लि. जिओ कैम हाऊस, बिलेरी कन्टोनमेंट, बिलेरी-14 को इस अधिसूचना के प्रकाशन की तारीख से तीन वर्षों के लिए निम्न शर्तों के अधीन एतद्वारा मान्यता देती है;

- (1) मैसर्स जिओ कैम लेबोरेट्रीज (प्रा.) लिमिटेड, बिलेरी निर्यात निरीक्षण परिषद् द्वारा इस संबंध में नामित अधिकारी को अपनाई गई निरीक्षण पद्धति की जांच करने के लिए पर्याप्त सुविधाएं देना ताकि खनिज तथा अयस्क (ग्रुप-I) के निर्यात (निरीक्षण) नियम, 1965 के नियम 4 के अंतर्गत निरीक्षण का प्रमाण-पत्र दिया जा सके।
- (2) मैसर्स जिओ कैम लेबोरेट्रीज (प्रा.) लिमिटेड, बिलेरी अपने कृत्यों के पालन में ऐसे निदेशों द्वारा आवश्य होगी जो निदेशक (निरीक्षण एवं क्वालिटी नियंत्रण) समय-समय पर लिखित रूप में देंगे।

अनुसूची-I

1. मैंगनीज डायक्साइड रहित मैंगनीज अयस्क
2. आयरन अयस्क,
3. फेरोमैंगनीज स्लेग सहित, फेरोमैंगनीज,
4. कैल्सिड बाक्साइड सहित, बाक्साइड।

[फाइल सं. 5/5/95-ईआईएंडईपी]

कुमारी सुमा मुख्मण्णा, निदेशक

S.O. 1997.—In exercise of the powers conferred by sub-section (1) of Section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government hereby recognises, for a period of three years from the date of publication of this notification, M/s. Geo-Chem Laboratories (P) Ltd., Geochem House, Bellary Cantonment, Bellary-14 as an agency for the inspection of Minerals and Ores (Group I) as specified in the schedule I annexed hereto, prior to export, subject to the following conditions, namely:—

- (i) that M/s. Geo-Chem Laboratories (P) Ltd., Bellary, shall give adequate facilities to the officers nominated by the Export Inspection Council in this behalf to examine the method of inspection followed by them in granting the certificate of inspection under rule 4 of the Export of Minerals and Ores Group I (Inspection) Rules, 1965;
- (ii) that M/s. Geo-Chem Laboratories (P) Ltd., Bellary, in the performance of their function under this notification shall be bound by such directives as the Director (Inspection and Quality Control) may give in writing from time to time.

SCHEDULE I

1. Manganese Ore, excluding manganese dioxide.
2. Iron Ore.
3. Ferromanganese, including ferromanganese slag.
4. Bauxite, including calcined bauxite.

[File No. 5/5/95-EI&EP]

KUM. SUMA SUBBANNA, Director

नागरिक प्रति, उपभोक्ता मामले और
सार्वजनिक वितरण मंत्रालय

नई दिल्ली, 29 जून, 1995

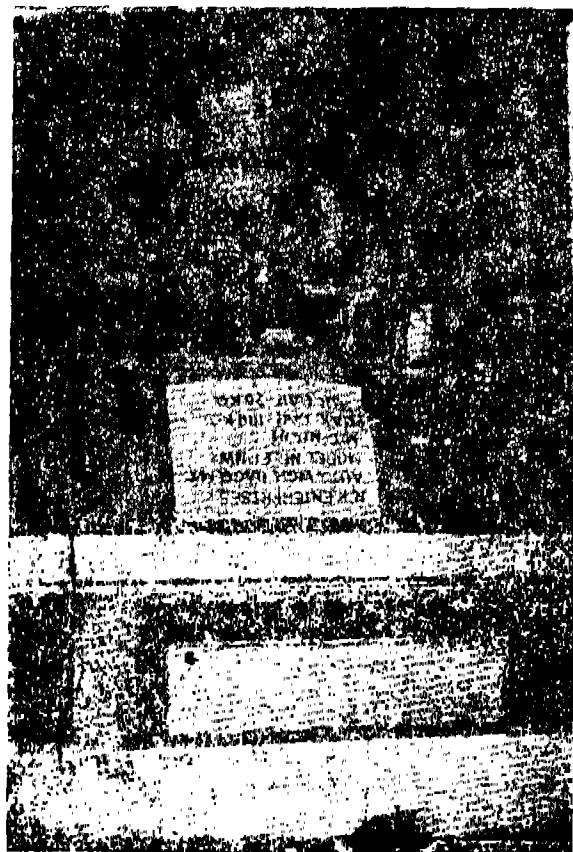
का.धा. 1998.—केन्द्रीय सरकार का विहित प्राधिकारी द्वारा उसे प्रस्तुत की गई रिपोर्ट पर विचार करने के पश्चात् समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (माडल का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि उक्त

माडल लगातार प्रयोग का अधिष्ठान में यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा देता रहेगा;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, "एक्यूपैक" ब्रांड नाम के स्वचालित तोलन पैकिंग उपकरण के माडल का (जिसे इसमें इसके पश्चात् माडल कहा गया है) जिसका विनिर्माण मैसर्स आर.के. इंटरप्राइज, नई दिल्ली द्वारा किया गया है और जिसे अनुमोदन पत्र आई.एन.डी.

09/94/93 समनुदेशित किया गया है, पर मोहन प्रमाणपत्र-प्रकाशित करनी है;

brand name "Accupack" (hereinafter referred to as the Model) manufactured by M/s. R. K. Enterprises, New Delhi and which is assigned the approval mark IND/09/94/83.



(आकृति)

माडल (आकृति देखिए) एक स्वचालित तौलन और पैकिंग प्रणाली है जिसमें किन्हीं मुक्त प्रवाहित होने वाली सामग्रियों के लिए उपयुक्त भारतीय प्रचालित स्वचालित शुद्ध तोलन और पैकिंग मशीन सम्मिलित है। यह भुज-धार यंत्रावलि है, जिसमें एक समान भुज दण्ड पैमाना उपलब्ध है। मशीन स्थूल और सूक्ष्म प्रवाह के लिए दूध शटर/फीडर प्रणाली द्वारा सामग्री को अपेक्षित मात्रा का स्वतः सृजन करता है। शटर वायु सिलेंडरों और परिनालिका वाल्वों की सहायता से प्रचालित होते हैं। नियंत्रण पैन्ल द्वार में एक अंकीय गणक सम्मिलित किया गया है, जो ग तोले गए बैगों की कुल संख्या रजिस्टर करती है। इसमें टेयर सुविधा को व्यवस्था की गई है यह एकल फेज, 220 वोल्ट, 50 हर्ट्ज पर कार्य करता है।

[पा. सं. डब्ल्यू.एम. 21 (39)/94]

राजीव श्रीवास्तव, संयुक्त सचिव

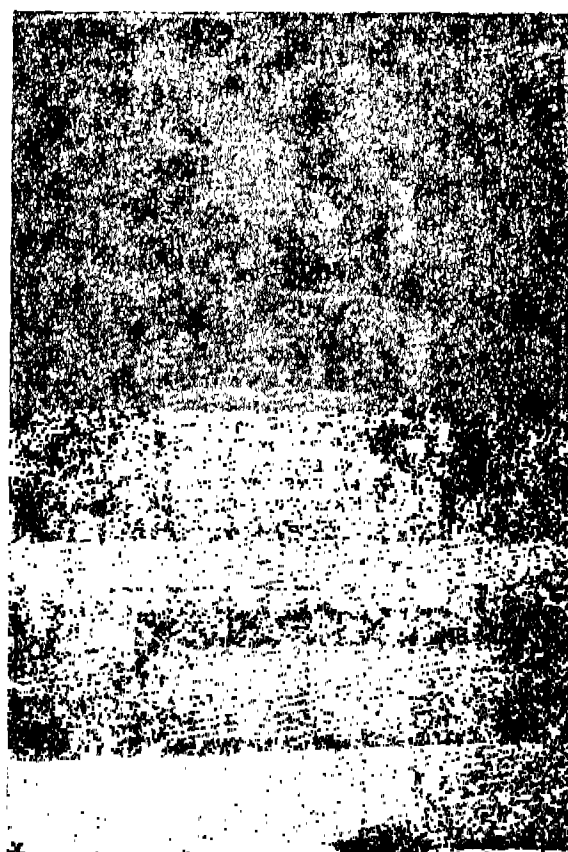
MINISTRY OF CIVIL SUPPLIES, CONSUMER AFFAIRS, AND PUBLIC DISTRIBUTION

New Delhi, the 29th June, 1995

S.O. 1998.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain accuracy over periods of sustained use and to under accurate service varied conditions ;

Now, therefore, in exercise of the powers conferred by sub-section (7) of Section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the Model of the automatic weighing packing instrument of

1657 GI/95—2



(figure)

The Model (see figure) is a automatic weighing any packing system incorporated with a electro pneumatically operated Automatic net weighing and bagging machine suitable for any free flowing granule materials. It is knife edged mechanism provided with an equal arm beam scale. The machine weights the required amounts of material automatically with two shutter feeding system for coarse and fine flow. The shutters are operated with the help of air cylinders and solenoid valves. A registers the total number of bags weighed. It is provided with tare facility. It works on single phase 220 v 50 Hz power supply.

[File No. WM-21 (39)/94]
RAJIV SRIVASTAVA, Jt. Secy.

नई दिल्ली, 29 जून, 1995

का.प्र. 1999.—केन्द्राय सरकार का विहित प्राधिकारी द्वारा उसे प्रस्तुत की गई रिपोर्ट पर विचार करने के पश्चात्, समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल बाट और माप मानक अधिनियम, 1976 (1976 का 80) और बाट और माप मानक (माडल का अनुमोदन) नियम, 1987 के उपबंध के अनुरूप है और इस बात की संभावना है कि उक्त माडल लगातार प्रयोग की अवधि में यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा देता रहेगा;

अतः केन्द्राय सरकार, उक्त अधिनियम की धारा 36 का उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मालिका टाइप का योजक पत्र और "ट्रिमलाइन" बांड नाम वाले के स्वतः सृजन गैर-स्वचालित तोलन उपकरण के माडल का जिसे इसमें इसके पश्चात् माडल कहा गया है जिसका विनिर्माण सैसर्स प्रवैरी इंडिया लि., बल्लभगढ़ द्वारा किया गया है और जिसे अनुमोदन विज्ञापन आई.एम.डी. 09/94/27 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है। माडल (आकृति

देखिए) यांत्रिक टाइप का योजक पम्प है। इसमें एक मोटर, चूषण एकक, घन्तानिर्मित वायु पृथक् कारक, सम्प (वायु विलोपन के लिए) बाब नियामक वाल्व (गैर प्रतिगम वाल्व) मीटर, होज और नोजल तथा रजिस्टर है। चूषण एकक एक पाइप लाइन द्वारा भूमिगत भंडारण टैंक से जुड़ा है।



(आकृति)

अंश शोधनी युक्ति 5 लीटर के परिवान पर लगभग 5 मिली लीटर के सोपान में समायोजन को अनुभव करती है। समायोजन पर अंशलोघन को सीलबंद किया जाना चाहिए। अंशशोधन की उपबंधित रज 20 लीटर के परिवान पर—100 मि.लीटर से —400 मिलीलीटर है। ईंधन के लिए प्रवेश अधिकतम 99.9 मीटर तक पठन दक्षिण कर सकता है। माडल का, प्रारम्भ में विभिन्न प्रवाह दरों पर तथा नियमित घन्तरालों पर पम्प की अधिकतम 2,50,000 लीटर तक परिवर्तन द्रव की मात्रा के लिए परीक्षण किया गया है।

[काहल सं० डब्ल्यू एम-21 (48)/92]
राजीव श्रीवास्तव, संयुक्त सचिव।

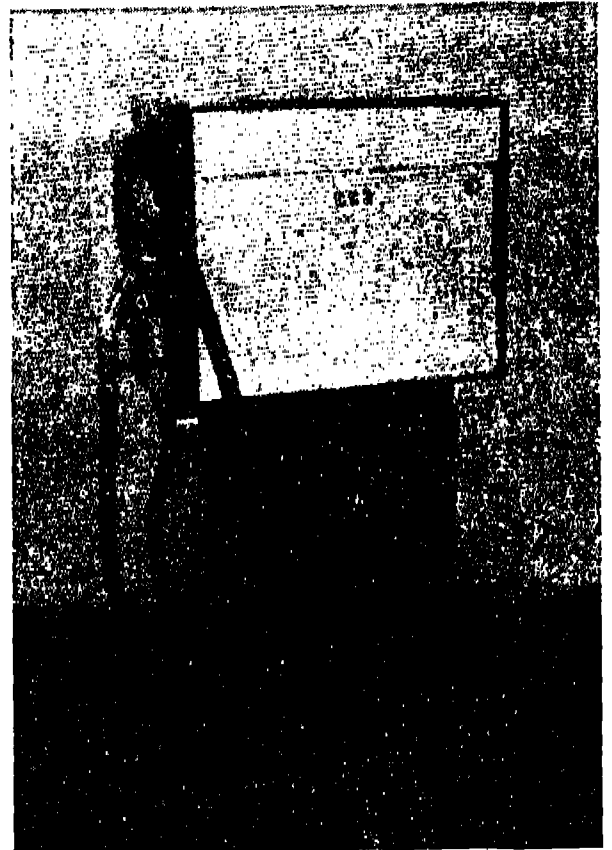
New Delhi, the 29th June, 1995

S.O. 1999.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority is satisfied that the Model described in the said report is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of

Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of Section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the Model of the dispensing pump of mechanical type and with brand name "Trimline" after referred to as the Model) manufactured by M/s. Avery India Ltd., Ballabgarh, and which is assigned the approval mark IND/09/94/27.

The Model (see figure) is a dispensing pump of mechanical type. It consists of a motor, suction unit, with built-in air separator, pump (for air eliminations pressure regulating valves (non return valve), Meter Hose and Nozzle and Register. The suction unit is connected to the underground storage tank by pipeline. The calibration device permits adjustments in steps of approximately 5 ml in a delivery of 5 litres. Upon adjustment, the calibrating wheel



should be sealed. Range of calibration provided is +100 ml to—400 ml on a delivery of 20 litres. The display for the fuel can register the readings upto a maximum of 99.9 litres. The model has been tested for volume of liquid delivered at different flow rates initially as well as at regular intervals by allowing the pump to run upto a maximum of 2,50,000 litres.

[File No. WM-21(48)/92]
RAJIV SRIVASTAVA, Jt. Secy.

भारतीय मानक ब्यूरो

नई दिल्ली, 3 जुलाई, 1995

का.भा. 2000.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) की खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिस/जिन भारतीय मानक/मानकों, का/के विवरण नीचे अनुसूची दिया गया है/दिए गए हैं, बहु/बे स्थापित हो गया है/हो गए हैं।

अनुसूची

क्रम सं.	स्थापित भारतीय मानक(कों) की संख्या वर्ष और शीर्षक	नए भारतीय मानक द्वारा अतिरिक्त भारतीय मानक अथवा मानकों, यदि कोई हो, की सं. और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	एस पी 61 : 1994 स्वचालित मौसम स्टेशनों के सामान्य मार्गदर्शी सिद्धांत	—	1994-12-31
2.	आई एस 1406 : 1995 द्रवों के लिए आयताकार डिब्बे—विशिष्ट	आई एस 1406 : 1981	1995-02-28
3.	आई एस 1589 : 1994 तेल, सिलिंडर—विशिष्ट (पहला पुनरीक्षण)	आई एस 1589 : 1960	1994-12-31
4.	आई एस 2857 : 1995 मिट्टी की फाकरीबेयर—विशिष्ट (दूसरा पुनरीक्षण)	आई एस 2857 : 1976	1995-02-28
5.	आई एस 4447 : 1994 सोडियम बेजोडेट, खाद्य ग्रेड—विशिष्ट (पहला पुनरीक्षण)	आई एस 4447 : 1967	1994-12-31
6.	आई एस 4751 : 1995 पोटेशियम मैटाबाईसल्फाई, खाद्य ग्रेड—विशिष्ट (पहला पुनरीक्षण)	आई एस 4751 : 1968	1994-12-31
7.	आई एस 5477 (भाग 2) : 1994 जलाशयों की क्षमता निर्धारित करने की पद्धतियों भाग 2] अप्रयुक्त भंडारण (पहला पुनरीक्षण)	आई एस 5477 (भाग 2) : 1969	1994-12-31
8.	आई एस 6255 : 1995 उल्टी डब-चूल और डब-चूल मिलिंग कटर—विशिष्ट (दूसरा पुनरीक्षण)	आई एस 6255 : 1982	1995-02-28
9.	आई एस 7920 (भाग 1) : 1994 सांख्यिकीय शब्दावली और प्रतीक भाग 1 प्रायिकता और सामान्य सांख्यिकीय पद (दूसरा पुनरीक्षण)	आई एस 7920 : 1985	1994-12-31
10.	आई एस 8704 : 1995 ए सी प्रणालियों में उपयोग के लिए उच्च बोलेटता इंसुलेटरों के कृत्रिम प्रक्षुब्ध परीक्षण (प्रथम पुनरीक्षण)	आई एस 8704 : 1978	1995-02-28
11.	आई एस 8930 (भाग 1) : 1995 तकनीकी उत्पाद प्रलेखन—शब्दावली भाग 1 तकनीकी ड्राइंग से सम्बन्धित पारिभाषिक शब्द : सामान्य और ड्राइंगों के टाइप (पहला पुनरीक्षण)	आई एस 8930 : 1978	1995-02-28
12.	आई एस 10748 : 1995 बैल्लिडट्यूब और पाइपों के लिए तप्त बेसिलित इस्पात पल्लियां—विशिष्ट (पहला पुनरीक्षण)	आई एस 10748 : 1984	1995-02-28
13.	आई एस 11347 : 1995 चरेल, सिलाई मशीन—शटल आलक—विशिष्ट (पहला पुनरीक्षण)	आई एस 11347 : 1985	1995-01-31

(1)	(2)	(3)	(4)
14	आई एस 11475 : 1994 स्टोनवेयर काकरी बैर— विशिष्ट (पहला पुनरीक्षण)	आईएस 11475 : 1985	1994-12-31
15	आई एस 13420 (भाग 1) : 1994 वेवलकृत वितरण तंत्र/भाग 1, 30 मी. हर्ट्ज और 1 जी हर्ट्ज के बीच संवाहन की ध्वनि और दूरदर्शन संकेत (पहला पुनरीक्षण)	आई एस 13420 (भाग 1) : 1992	1994-12-31
16	आई एस 13970 (भाग 1) : 1995 कृषि अंग रोपण विज्ञान (प्रोपेडिटर) तथा ओरिंटेशन— शब्दावली भाग 1 जल अंग कृषि अंग रोपण तथा ओरिंटेशन के लिए सामान्य पारिभाषिक शब्द	आई एस—	1995-03-31
17	आई एस 13978 : 1994 जल आकृषात्मक आकृषि कॉमिटी (जंड डी टी सी)—विशिष्ट	—	1994-12-31
18	आई एस 14132 : 1995 शस्त्र संसूचन में उपयोग के लिए ओजी धातु संसूचक—विशिष्ट	—	1995-01-31
19	आई एस 14168 : 1995 बदलने योग्य ईसर्ट वाले भीरने वाले कटर—विशिष्ट	—	1995-01-31
20	आई एस 14202 (भाग 1) : 1995 पहचान पत्र संपर्क सहित एकीकृत परीक्षण भाग 1 भौतिक लक्षण	—	1995-02-28
21	आई एस 14202 (भाग 2) : 1995 पहचान पत्र संपर्क सहित एकीकृत परीक्षण भाग 2 संपर्कों के अवस्थिति	—	1995-02-28
22	आई एस 14208 : 1995 पैकेजिंग—इकाई भार साइज—मापन	—	1995-02-28
23	आई एस 14211 : 1994 अग्निजल चालनियां विशिष्ट	—	1994-12-31
24	आई एस 1223 (भाग 1) : 1995 पालिश किए हुए निर्माण पथर—विशिष्ट भाग 1 ग्रेनाइट	—	1995-02-28
25	आई एस 14224 : 1995 स्वचल वाहन— पंजीकरण प्लेट—अपेक्षाएं	—	1995-2-28
26	आई एस 14225 : 1995 स्वचल वाहन ताला लगाने की युक्ति तथा दरवाजा रोकने के संकेतक—सामान्य अपेक्षाएं	—	1995-02-28
27	आई एस 14226 : 1995 स्वचल वाहन— हुड सिटफनी तंत्र—परीक्षण पद्धति	—	1995-02-28

(1)	(2)	(3)	(4)
28.	आई एस 14227 : 1995 शल्य चिकित्सा के लिए अंतर्गोपण—वालिगों के फीमर के अंत में उपयोग होने वाली स्थिरीकरण युक्तियां		1995-01-31
29.	आई एस 14235 : 1995 तरल शक्ति अनुप्रयोगों के लिए प्रोक्षक सील—विशिष्ट		1995-02-28

इन मानकों की प्रतियां भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुरशाह जफर मार्ग, नई दिल्ली-110002 और क्षेत्रीय कार्यालयों बम्बई, कलकत्ता, कलिंगट, कोयम्बतूर तथा मद्रास और शाखा कार्यालयों मद्रासबाद, बंगलोर भोपाल भवनेश्वर, गुवाहाटी हैदराबाद, जयपुर, कानपुर, लखनऊ, पटना और थिरुअन्नाथापुरम, गाजियाबाद तथा फरीदाबाद में विक्री हेतु उपलब्ध हैं।

[सं. के प्र. वि/13 : 2]

एस.के. कर्मकार

अपर महानिदेशक,

BUREAU OF INDIAN STANDARDS

New Delhi, the 3rd July, 1995

S.O. 2000—In pursuance of clause(b) of Sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules 1987, the Bureau of Indian Standards hereby notifies that the Indian Standard(s), particulars of which is/are given in the Schedule hereto annexed, has have been established on the date indicated against each :

SCHEDULE

SL No. year and Title of the Indian Standard(s) No. Established	No. and year of the Indian Standard or Standards, if any, superseded by the new Indian Standard	Date of Establishment
(1)	(2)	(3)
1. SP 61:1994—General guidalines for automotic weather stations		1994-12-31
2. IS 1406: 1995—Rectangular tine for liquids—specifica- tion (Fourth Revision)	IS 1406: 1981	1995-02-28
3. IS 1589 : 1994—Oil, cylinder—specification (First Revision)	IS 1589 : 1960	1994-12-31
4. IS 2857 : 1995—Earthenware crockoryware—specifica- tion (Second revision)	IS 2957 : 1976	1995-02-28
5. IS 4447 : 1994—Sodium Benzoate, food grade— specification (First Revision)	IS 4447 : 1967	1994-12-31
6. IS 4751 : 1994—Potassium metabisulphite, food grade specification (First Revision)	IS 4751 : 1968	1994-12-31

(1)	(2)	(3)	(4)
7.	IS 5477 (Pt. 2): 1994—Fixing the capacities of reservoirs—methods Part 2 Dead Storage (First Revision)	IS 5477 (Pt. 2): 1969	1994-12-31
8.	IS 6255 : 1995—Inverse Deve-Tail and Dove-Tail milling cutters—specification (Second Revision)	IS 6255 : 1982	1995-02-28
9.	IS 7920 (Part 1): 1994—Statistical vocabulary and symbols Part 1 Probability and General Statistical Terms (Second Revision)	IS 7920 : 1985	1994-12-31
10.	IS 8704 : 1995 Artificial Pollution test on high voltage insulators to be used on AC systems (First Revision)	IS 8704 : 1978	1995-02-28
11.	IS 8930 (Part 1): 1995—Technical product documentation vocabulary Part 1 Terms relating to Technical drawings: General and types of drawings (First Revision)	IS 8930 : 1978	1995-02-28
12.	IS 10748 : 1995—Hot-rolled steel strip for welded tubes and pipes—specification (First Revision)	IS 10748 : 1984	1995-02-28
13.	IS 11347 : 1995—Household sewing machines—shuttle driver—specification (First Revision)	IS 11347 : 1985	1995-01-31
14.	IS 11475 : 1994—Stoneware crockeryware—specification (First Revision)	IS 11475 : 1985	1994-12-31
15.	IS 13420 (Part 1): 1994—Cabled Distribution Systems Part 1 Systems primarily intended for sound and television signals operating between 30 MHz and 1 GHz (First Revision)	IS 13420 (Pt. 1): 1992	1994-12-31
16.	IS 13970 (Part 1): 1995—Prosthetics and orthotics—vocabulary Part 1 General terms for external limb prostheses and external orthoses	—	1995-03-31
17.	IS 13978: 1994—Zinc Diethyl Dithio carbamate (ZDEC)—specification	—	1994-12-31
18.	IS 14132: 1995—Walk-through metal detector for use in weapon detection—specification	—	1995-01-31
19.	IS 14168 : 1995—Slitting cutter with indexable inserts specification	—	1995-01-31
20.	IS 14202 (Part 1): 1995—Identification cards—integrated circuit(s)—cards with contacts Part 1 Physical characteristics	—	1995-02-28

(1)	(2)	(3)	(4)
21.	IS 14202 (Part 2): 1995—Identification cards—integrated circuit(s)—cards with contacts Part 2 Dimensions and location of the contacts	— —	1995-02-28
22.	IS 14208 : 1995—Packaging—unit load sizes—dimensions	— —	1995-02-28
23.	IS 14211 : 1994—Molecular sieves—specification	— —	1994-12-31
24.	IS 14223 (Part 1): 1995—Polished building stones—specification Part 1 Granite	— —	1995-02-28
25.	IS 14224 : 1995—Automotive vehicles—registration plate—requirements	— —	1995-02-28
26.	IS 14225 : 1995—Automotive vehicles—locking systems and door retention components—general requirements	— —	1995-02-28
27.	IS 14226:1995—Automotive vehicles head latch system—method of test	— —	1995-02-28
28.	IS 14227 : 1995—Implants for surgery fixation devices for use in the ends of the femur in adults	— —	1995-01-31
29.	IS 14235 : 1995—Wiper seals used for fluid power application—specification	— —	1995-02-28

Copies of the Indian Standards are available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Calcutta, Chandigarh, Madras, Bombay and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Faridabad, Ghaziabad, Guwahati, Hyderabad, Jaipur, Kanpur, Lucknow, Patna, Thiruvananthapuram.

[No. CMD/13 : 2]

S.K. KARMAKAR, Addl. Director General

भारतीय मानक ब्यूरो

नई दिल्ली, 3 जुलाई, 1995

का.भा. 2001.—भारतीय मानक ब्यूरो नियम 1987 के नियम 7 के उपनियम (1) के खंड 'ख' के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे दिए गए मानक(कों) में संशोधन किया गया है/किए गए हैं।

क्रम संख्या	संशोधित भारतीय मानक की संख्या और वर्ष	संशोधन की संख्या और तिथि	संशोधन लागू होने की तारीख
(1)	(2)	(3)	(4)
1.	आई एस 252 : 1991	संशोधन सं. 1, फरवरी 1995	1995-02-28
2.	आई एस 264 : 1976	संशोधन सं. 2 फरवरी 1995	1995-02-28
3.	आई एस 289 : 1989	संशोधन सं. 1, जनवरी 1995	1995-01-31

(1)	(2)	(3)	(4)
4.	आई एम 662 : 1980	संशोधन सं. 2, मार्च 1995	1995-03-31
5.	आई एम 1148 : 1982	संशोधन सं. 1, जनवरी 1995	1995-01-31
6.	आई एम 1448 (भाग : 22) : 1985	संशोधन सं. 1, फरवरी 1995	1995-02-28
7.	आई एम 2860 : 1964	संशोधन सं. 1 फरवरी 1995	1995-02-28
8.	आई एम 3885 (भाग 1) : 1992	संशोधन सं. 1, जनवरी 1995	1995-01-31
9.	आई एम 3938 : 1983	संशोधन सं. 1 फरवरी 1995	1995-02-28
10.	आई एम 4236 : 1985	संशोधन सं. 1 फरवरी 1995	1995-02-28
11.	आई एम 5301 : 1987	संशोधन सं. 1, फरवरी 1995	1995-02-28
12.	आई एम 5410 : 1992	संशोधन सं. 2, जनवरी 1995	1995-01-31
13.	आई एम 6240 : 1989	संशोधन सं. 1, जनवरी 1995	1995-01-31
14.	आई एम 6313 (भाग 2) : 1981	संशोधन सं. 5 जनवरी 1995	1995-01-31
15.	आई एम 6313 (भाग 3) : 1981	संशोधन सं. 4, फरवरी 1995	1995-02-28
16.	आई एम 6550 : 1992	संशोधन सं. 1, फरवरी 1995	1995-02-28
17.	आई एम 6551 : 1992	संशोधन सं. 1, मार्च 1995	1995-03-31
18.	आई एम 7330 : 1988	संशोधन सं. 1 जनवरी 1995	1995-01-31
19.	आई एम 7887 : 1992	संशोधन सं. 1 जनवरी 1995	1995-01-31
20.	आई एम 8828 : 1993	संशोधन सं. 1, 2 और 3 फरवरी 1995	1995-02-28
21.	आई एम 9798 : 1981	संशोधन सं. 6, मार्च 1995	1995-03-31
22.	आई एम 10322 (भाग 5/अनुभाग 4) : 1987	संशोधन सं. 1, जनवरी 1995	1995-01-31
23.	आई एम 10322 (भाग 5/अनुभाग 5) : 1987	संशोधन सं. 1 जनवरी 1995	1995-01-31

(1)	(2)	(3)	(4)
24. आई एस 10840 : 1994		संशोधन सं. 1, जनवरी 1995	1995-01-31
25. आई एस 11305 : 1985		संशोधन सं. 1, मार्च 1995	1995-03-31
26. आई एस 11352 : 1994		संशोधन सं. 1, जनवरी 1995	1995-01-31
27. आई एस 12210 : 1987		संशोधन सं. 1, फरवरी 1995	1995-02-28

इन संशोधनों की प्रतियां भारतीय मानक व्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110002 और, क्षेत्रीय कार्यालयों बम्बई, कलकत्ता, चण्डीगढ़, कोयंबटूर तथा मद्रास और शाखा कार्यालयों अहमदाबाद, बंगलूर, भोपाल, भुवनेश्वर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, लखनऊ, पटना और थिरुवनन्थापुरम, गाजियाबाद तथा फरीदाबाद में बित्री हेतु उपलब्ध है।

[सं. के. प्र.वि./13 : 5]
एस.के.कर्मकार, अपर महानिदेशक

BUREAU OF INDIAN STANDARDS
New Delhi, the 3rd July, 1995

S.O. 2001.—In pursuance of clause(b) of Sub-rule (1) or Rule 7 of Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards, hereby notifies that amendment(s) to the Indian Standard(s) given in the schedule hereto annexed has/have been issued.

THE SCHEDULE

Sl. No. and year of the Indian Standard amended No.	No. and date of the amendment	Date from which the amendment shall have effect	
(1)	(2)	(3)	(4)
1. IS 252 : 1991	Amendment No. 1, February 1995		1995-02-28
2. IS 264 : 1976	Amendment No. 2. February 1995		1995-02-28
3. IS 299 : 1989	Amendment No. 1, January, 1995.		1995-01-31
4. IS 662 : 1980	Amendment No. 2, March 1995		1995-03-31
5. IS 1148 : 1982	Amendment No. 1, January 1995		1995-01-31
6. IS 1448 (P: 22): 1985	Amendment No. 1, February 1995		1995-02-28
7. IS 2860 : 1964	Amendment No. 1, February 1995		1995-02-28

(1)	(2)	(3)	(4)
8. IS 3885 (Part 1): 1992		Amendment No. 1, January 1995	1995-01-31
9. IS 3938 : 1983		Amendment No. 1, February 1995	1995-02-28
10. IS 4236 : 1985		Amendment No. 1, February 1995	1995-02-28
11. IS 5301 : 1987		Amendment No. 1, February 1995	1995-02-28
12. IS 5410 : 1992		Amendment No. 2, January 1995	1995-01-31
13. IS 6240 : 1989		Amendment No. 1, January 1995	1995-01-31
14. IS 6313 (Part 2): 1981		Amendment No. 5, January 1995	1995-01-31
15. IS 6313 (Part 3): 1981		Amendment No. 4, February 1995	1995-02-28
16. IS 6550: 1992		Amendment No. 1, February 1995	1995-02-28
17. IS 6551: 1992		Amendment No. 1, March 1995	1995-03-31
18. IS 7330 : 1988		Amendment No. 1, January 1995	1995-01-31
19. IS 7887 : 1992		Amendment No. 1, January 1995	1995-01-31
20. IS 8828: 1993		Amendments No. 1, 2 & 3 February 1995	1995-02-28
21. IS 9798 : 1981		Amendment No. 6, March 1995	March 1995
22. IS 10322 (Part 5/Sec 4) : 1987		Amendment No. 1, January 1995	1995-01-31
23. IS 10322 (Part 5/ Sec 5): 1987		Amendment No. 1, January 1995	1995-01-31
24. IS 10840 : 1994		Amendment No. 1, January 1995	1995-01-31
25. IS 11305 : 1985		Amendment No. 1, March 1995	1995-03-31
26. IS 11352 : 1994		Amendment No. 1, January 1995	1995-01-31
27. IS 12210 : 1987		Amendment No. 1, February 1995	1995-02-28

Copies of the Amendments are available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices : New Delhi, Calcutta, Chandigarh, Madras, Bombay and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Faridabad, Ghaziabad, Guwahati, Hyderabad, Jaipur, Kanpur, Lucknow, Patna, Thiruvananthapuram.

[No CMD/13 : 5]

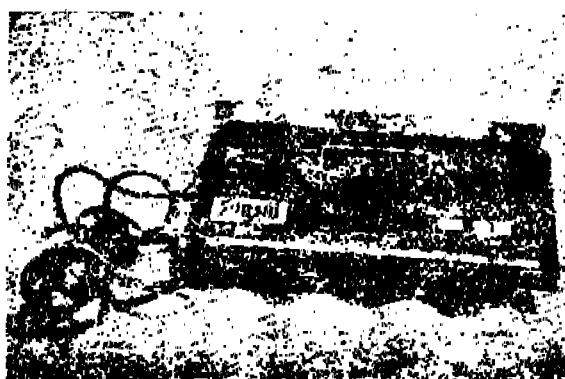
S.K. KARMAKAR, Addl. Director General

नई दिल्ली, 7 जुलाई, 1995

का.आ. 2002.—केन्द्रीय सरकार का विहित प्राधिकारी द्वारा उसे प्रस्तुत की गई रिपोर्ट पर विचार करने के पश्चात्, समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडलबाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (माडल का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि उक्त माडल लगातार प्रयोग की अवधि में यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा देता रहेगा।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, "एस.एस.पी." टाइप के स्वतः सूचक गैर-स्वचालित टेबल टॉप तोलन उपकरण के माडल का (जिसे इसमें इसके पश्चात् माडल पर कहा गया है जिसका विनिर्माण मैसर्स सनमुई इलेक्ट्रॉनिक्स प्राइवेट लिमिटेड, 89, भवानी पेट घासेटी पुल पुणे-2 द्वारा किया गया और जिसे अनुमोदन चिह्न आई.एन.डी. 09/94/68 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र प्रकाशित करती है;

माडल (आकृति देखिए) एक मध्यम यथार्थता (यथार्थता वर्ग 3) का तोलन उपकरण है जिसकी अधिकतम क्षमता 30 किलोग्राम और न्यूनतम क्षमता 200 ग्राम है। सत्यापन मापमान अन्तर (ई) 5 ग्राम है। इसमें एक टेयर युक्ति है जिसका व्यकलनात्मक प्रतिधारण टेयर प्रभाव 100 प्रतिशत है। भारग्राही आयताकार आकृति के स्टेनलेस इस्पात का है जिसका आकार 230 × 290 मि.मी. है। मि.मी. आकार के सात खंडीय संप्रतीक का है। यह उपकरण 230 वोल्ट, 50 हर्ट्ज के प्रत्यावर्ती धारा विद्युत् प्रदाय पर प्रचालित होता है।



आकृति

आगे, केन्द्रीय सरकार, यह घोषणा करती है कि माडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत के अनुसार और उसी सामग्री से, जिससे अनुमोदित माडल का विनिर्माण किया गया है, निम्नलिखित 1 कि. आ., 2 कि. आ., 5 कि. आ., 10 कि. आ., 15 कि. आ., 20 कि. आ., 30 कि. आ., और 50 कि. आ. की अधिकतम क्षमता

वाले समरूप मेक, यथार्थता और उसी सिरीज के कार्यकरण वाले तालसेतु भी हैं।

[फा. सं. डब्ल्यू.एम.-21(37)/92]

राजीव श्रीवास्तव, संयुक्त सचिव

New Delhi, the 7th July, 1995

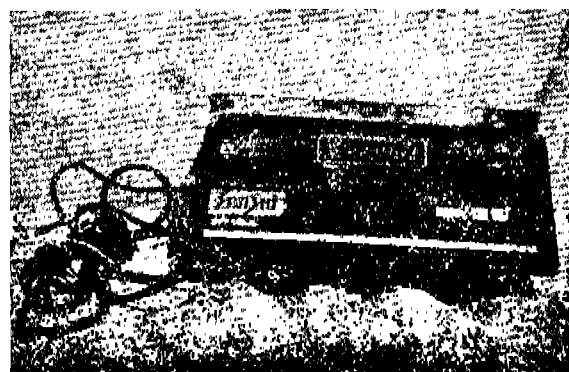
S.O. 2002.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of Model of self-indicating non-automatic table top weighing instrument of type "SSP" (hereinafter referred to as the model) manufactured by:

M/s. Sansui Electronics Pvt. Ltd.,
89, Bhavani Peth Ghaseti Pool,
Pune-2.

and which is assigned the approval mark IND/09/94/68;

The model (see figure) is a medium accuracy (accuracy class III) weighing instrument with a maximum capacity of 30 kilogram and minimum capacity of 200 gram. The verification scale interval (e) is 5 gram. It has a tare device with a 100 per cent subtractive retained tare effect. The load receptor is a of stainless steel of rectangular shape of size 230 × 290 millimetre. The LED display is of 7 segment character of size 13 millimetre. The instrument operates on 230 volts, 50 hertz alternate current power supply.



(Photo)

Further, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighbridge of similar make, accuracy and performance of same series with maximum capacity of 1 kg, 2 kg, 5 kg, 10 kg, 15 kg, 20 kg, 30 kg and 50 kg made by the same manufacturer in accordance with the same principle and with the same materials with which, the approved Model has been manufactured.

[F. No. WM-21(37)/92]

RAJIV SRIVASTAVA, Jt. Secy.

नई दिल्ली, 7 जुलाई, 1995

का.आ. 2003.—केन्द्रीय सरकार का विहित प्राधिकारी द्वारा उसे प्रस्तुत की गई रिपोर्ट पर विचार करने के पश्चात्, समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (माडल का अनुमोदन)

नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि उक्त माडल लगातार प्रयोग की अवधि में यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा देता रहेगा;

अतः केंद्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, "एम.पी.पी." टाइप के स्वतः सूचक गैर-स्वचालित प्लेट-फार्म तोलन उपकरण के माडल का (जिसे इसमें इसके पश्चात् माडल कहा गया है) जिसका विनिर्माण मैसर्स सनसुई इलेक्ट्रॉनिक्स प्राइवेट लिमिटेड, 89, भवानी पेठ घ से टी पुल, पुणे-2 द्वारा किया गया है और जिसे अनुमोदन चिह्न आई.एन.डी./09/94/84 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है;

माडल (आकृति देखिए) एक मध्यम यथार्थता (यथार्थता वर्ग 3) का तोलन उपकरण है जिसकी अधिकतम क्षमता 60 किलोग्राम और न्यूनतम क्षमता 200 ग्राम है। सत्यापन मापमान अन्तर (ई) 10 ग्राम है। इसमें एक टेयर युक्ति है जिसका व्यक्तात्मक प्रतिधारण टेयर प्रभाव 100 प्रतिशत है। भारग्राही आयताकार आकृति के स्टेनलेस इस्पात का है जिसका आकार 550×600 मि.मी. है। प्रकाश उत्सर्जन डायोड संप्रदर्श 13 मि.मी. आकार के मात खंडीय संप्रतीक का है। यह उपकरण 230 वोल्ट, 50 हर्टज के प्रत्यावर्ती द्वारा विद्युत प्रदाय पर प्रचालित होता है।



आकृति

आगे, केंद्रीय सरकार, यह घोषणा करती है कि माडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त के अनुसार और उसी सामग्री से, जिसमें अनुमोदित माडल का विनिर्माण किया गया है, निर्मित 60 किग्रा., 100 किग्रा., 150 किग्रा., 200 किग्रा., 300 किग्रा., 500 कि.ग्रा. और 1000 कि. ग्राम की अधिकतम क्षमता वाले समरूप मेक, यथार्थता और उसी सिरीज के कार्यकरण वाले तोलसेतु भी है।

[फा.सं. डब्ल्यू.एम. 21(37)/92"]

राजीव श्रीवास्तव, संयुक्त सचिव

New Delhi, the 7th July, 1995

S.O. 2003.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of Section 36 of the said Act, the Central Government hereby publishes the certificate of approval of Model of self-indicating non-automatic platform weighing instrument of type "SPP" (herein after referred to as the model) manufactured by

M/s. Sansui Electronics Pvt. Ltd.,
89, Bhavani Peth Ghaseti Pool,
Pune-2.

and which is assigned the approval mark IND/09/94/84 ;

The model (see figure) is a medium accuracy (accuracy class III) weighing instrument with a maximum capacity of 60 kilogram and minimum capacity of 200 gram. The verification scale interval (e) is 10 gram. It has a tare device with a 100 per cent subtractive retained tare effect. The load receptor is a of stainless steel of rectangular shape of size 550×600 millimetre. The LED display is of 7 segment character of size 13 millimetre. The instrument

operates on 230 volts, 50 hertz alternate current power supply.



Further, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighbridge of similar make, accuracy and performance of same series with maximum capacity of 60 kg., 100 kg., 150 kg., 200kg., 300 kg., 500 kg. and 1000 kg. the same manufacturer in accordance with the same principle and with the same materials with which, the approved Model has been manufactured.

[F. No. WM-21(37)/92]
RAJIV SRIVASTAVA, Jt. Secy.

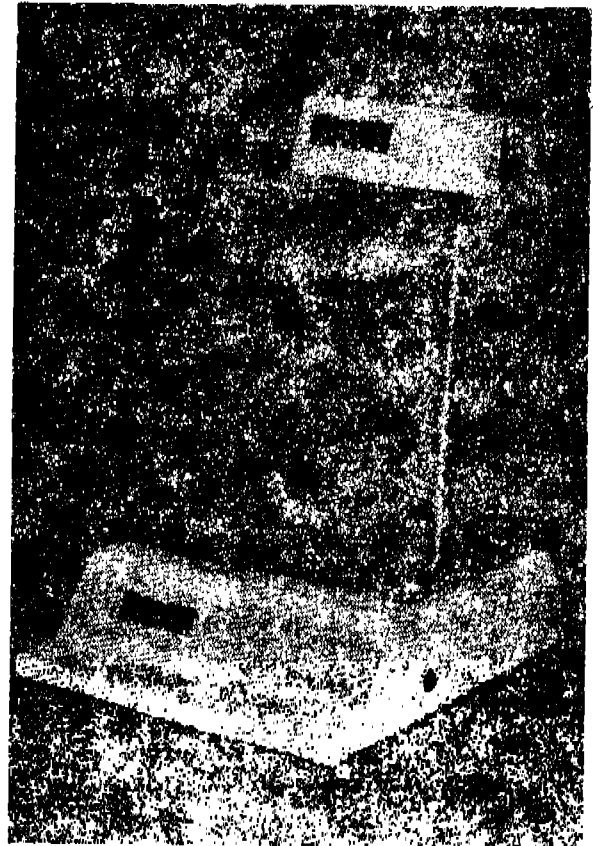
नई दिल्ली, 7 जुलाई, 1995

का.आ. 2004.—केंद्रीय सरकार का विहित प्राधिकारी द्वारा उसे प्रस्तुत की गई रिपोर्ट पर विचार करने के पश्चात्, समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (माडल का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि उक्त माडल लगातार प्रयोग की अवधि में यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा देता रहेगा;

अतः केंद्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए पी.ई. सीरीज वर्ग 3 टाइप के स्वतः सूचक गैर-स्वचालित मेज तल (टेबल टॉप) वाले तोलन उपकरण के माडल का (जिसे इसमें इसके पश्चात् माडल कहा गया है) निम्नलिखित विनिर्माण मैसर्स पिरामिड इलेक्ट्रॉनिक्स, भिवाना द्वारा

किया गया है और जिसे अनुमोदन चिह्न आई.एन.डी. 09/94/78 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है;

माडल (आकृति देखिए) एक मध्यम यथार्थता (यथार्थता वर्ग 3) का मेज तल (टेबल टॉप) तोलन उपकरण है जिसकी अधिकतम क्षमता 25 किलोग्राम और न्यूनतम क्षमता 100 ग्राम है। सत्यापन मापमान अन्तर (ई) 5 ग्राम है। इसमें एक टेवर युक्ति है जिसका व्यकलनात्मक प्रतिधारण टेवर प्रभाव 100 प्रतिशत है भाराही धात्विक प्लेट का है जिसका पार्श्व 295×260 मि.मी. है। संप्रतीक प्रकाश उत्सर्जन डायोड संप्रदर्श तोल परिणाम उपदर्शित करता है। यह उपकरण 230 वोल्ट 50 हर्टज विद्युत प्रदाय पर प्रचालित होता है।



आकृति

आगे, केंद्रीय सरकार, यह घोषणा करती है कि माडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त के अनुसार और उसी सामग्री से, जिससे अनुमोदित माडल का विनिर्माण किया गया है विनिर्मित 120 ग्राम, 300 ग्राम, 500 ग्राम और 1000 ग्राम की अधिकतम क्षमता वाले पी ई एस सीरीज के 2 किलोग्राम, 5 किलोग्राम, 10 किलोग्राम की अधिकतम क्षमता वाले समरूप मेक, यथार्थता और उसी सीरीज के कार्यकरण वाले मेज तल (टेबल टॉप) उपकरण भी हैं।

[फा. नं. डब्ल्यू.एम. 31/95/91]

राजीव श्रीवास्तव, संयुक्त सचिव

New Delhi, the 7th July, 1995

S.O. 2004.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain accuracy over periods of sustained use and to render accurate service under varied conditions ;

Now, therefore, in exercise of the powers conferred by sub-section (7) of Section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the Model of the self-indicating non-automatic table top weighing instrument of type PE series class III medium accuracy (hereinafter referred to as the Model) manufactured by M/s. Pyramid Electronics Silvassa, and is assigned the approval mark IND/09/94/78 ;

The Model (see figure) is a medium accuracy (accuracy class III) table top weighing instrument with a maximum capacity of 25 kg. and minimum capacity of 100 gram. The verification scale interval (e) is 5 gram. It has a tare device with a 100 per cent subtractive retained tare effect. The load receptor is of metallic plate of sides 295×260 millimetre. The LED display indicates the weighing result. The instrument operates on 230 volts, 50 hertz power supply.



(Figure)

Further, the Central Government hereby declares that this certificate of approval of the Model shall also cover the table top weighing instrument of similar make, accuracy and performance of same series with maximum capacity of 2 kg., 5 kg., 10 kg., of PEM series with maximum capacity of 120 g. 300 g. 500 g. and 1000 g manufactured by the same manufacturer in accordance with the same principle and with the same materials with which, the approved Model has been manufactured.

[F. No. WM-21(38)/94]

RAJIV SRIVASTAVA, Jt. Secy.

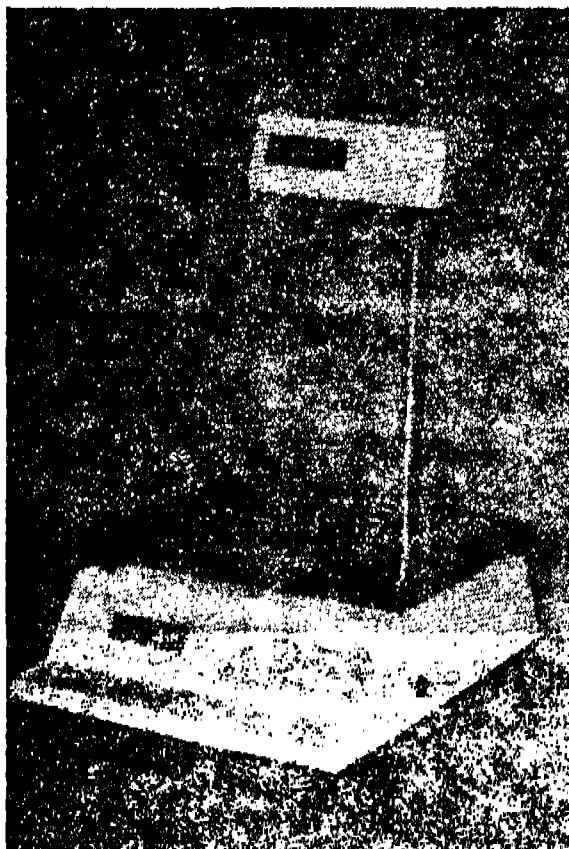
नई दिल्ली, 7 जुलाई, 1995

का.आ. 2005.—केंद्रीय सरकार का विहित प्राधिकारी द्वारा उसे प्रस्तुत की गई रिपोर्ट पर विचार करने के पश्चात् समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (माडल का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि उक्त माडल लगातार प्रयोग की अवधि में यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा देता रहेगा ;

अतः केंद्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए पी.ई.ए. सीरीज वर्ग-2 उच्च यथार्थता टाइप के स्वतः मूचक गैर-स्वचालित भेज तल (टेबल टॉप) वाले तोलन उपकरण के माडल का (जिसे हमसे इसके पश्चात् माडल कहा गया है) जिनका विनिर्माण मैनर्स पिरामिड इलेक्ट्रॉनिक्स, सिलवासा द्वारा किया गया है और जिसे अनुमोदन चिह्न आई.एम.डी. 09/94/78 नमूद्विशित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है ;

माडल (आकृति देखिए) एक मध्यम यथार्थता (यथार्थता वर्ग 2) का भेज तल (टेबल टॉप) तोलन उपकरण है जिसकी अधिकतम क्षमता 12 किलोग्राम और न्यूनतम क्षमता 20 ग्राम है। स्थापन मापमान अन्तर (ई) 1 ग्राम है। इसमें एक टैयर युक्ति है जिसका व्यवहारात्मक प्रतिधारण टैयर प्रभाव 100 प्रतिशत है। भारग्राही धात्विक प्लेट का है जिसका माप 295×260 मि.मी. है। संग्रहीत प्रकाश टैयरजन आधारे गणना का प्रमाण उपस्थित करता है।

यह उपकरण 230 वोल्ट, 50 हर्ट्ज के बिजु प्रवाह पर प्रचालित होता है।



आकृति

आगे, केंद्रीय सरकार, यह घोषणा करती है कि माडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त के अनुसार और उसी सामग्री से, जिससे अनुमोदित माडल को विनिर्माण किया गया है। विनिर्मित 300 ग्राम, 600 ग्राम का अधिकतम क्षमता के पी ई एस सीरीज के 2.5 किलोग्राम, 6 किलोग्राम, 25 किलोग्राम की अधिकतम क्षमता वाले समरूप मेक, यथार्थता और उगी सीरीज के कार्यकरण वाले मेज तल (टेबल टॉप) उपकरण भी हैं।

[फा. सं. डब्ल्यू. एम. 21(38)/94]

राजीव श्रीवास्तव, संयुक्त सचिव

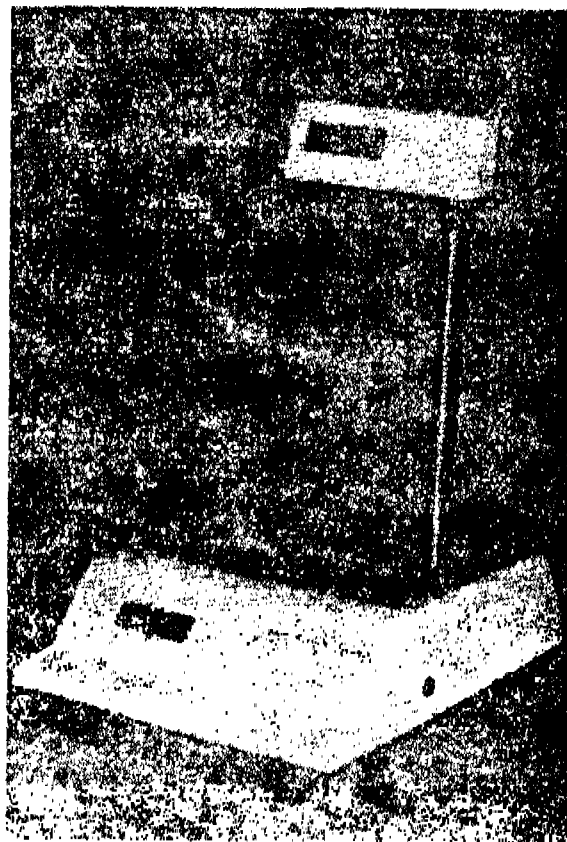
New Delhi, the 7th July, 1995

S.O. 2005.—Whereas the Central Government after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain accuracy over periods of sustained use and to render accurate service under varied conditions :

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 36 of the said Act, the Central

Government hereby publishes the certificate of approval of the Model of the self-indicating, non-automatic table top weighing instrument of type PE-A 100 series class II High accuracy (hereinafter referred to as the Model) manufactured by M/s. Pyramid Electronics Silvassa, and is assigned the approval mark IND. 09/94/79 ;

The Model (see figure) is a high accuracy (accuracy class II) table top weighing instrument with a maximum capacity of 12 kg. and minimum capacity of 20 gram. The verification scale interval (e) is 1 gram. It has a tare device with a 100 per cent subtractive retained tare effect. The load receptor is of metallic plate of sides 295 × 260 millimetre. The LED display indicates the weighing result. The instrument operates on 230 volts, 50 hertz power supply.



(Figure)

Further, the Central Government hereby declares that this certificate of approval of the Model shall also cover the table top weighing instrument of similar make, accuracy and performance of same series with maximum capacity of 2.5 kg., 6 kg., 25 kg., of PEM series of maximum capacity 300 g., 600 g. manufactured by the same manufacturer in accordance with the same principle and with the same materials with which, the approved Model has been manufactured.

[F. No. WM-21 (38)/94]

RAJIV SRIVASTAVA, Jt. Secy.

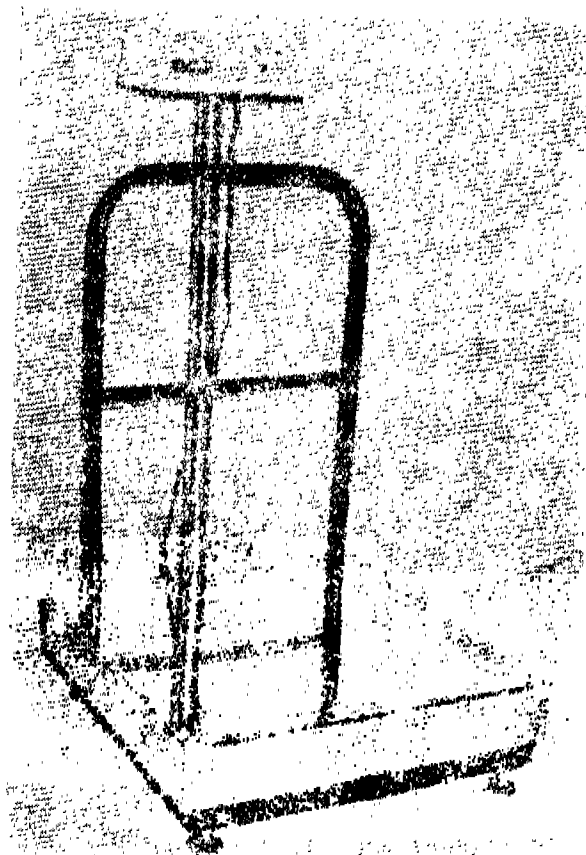
नई दिल्ली, 7 जुलाई, 1995

का.आ. 2006.—केंद्रीय सरकार का विहित प्राधिकारी द्वारा उसे प्रस्तुत की गई रिपोर्ट पर विचार करने के पश्चात्, समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल बाट और माप मानक अधिनियम, 1976 (1976

का 60) और बाट और माप मानक (माडल का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की (संभावना है कि उक्त माडल लगातार प्रयोग की अवधि में यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा देता रहेगा;

अतः केंद्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, पी ई पी 100 सीरीज वर्ग 3 मध्यम यथार्थता टाइप के स्वतः सूचक गैर-स्वचालित टेबल प्लेटफार्म तोलन उपकरण के माडल का (जिसे इसमें इसके पश्चात् माडल कहा गया है) जिसका विनिर्माण मैसर्स पिरामिड इलेक्ट्रॉनिक्स सिल्वासा द्वारा किया गया है और जिसे अनुमोदन चिह्न आई.एन.डी. 09/94/80 समनुद्दिष्ट किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है—

माडल (आकृति देखिए) एक मध्यम यथार्थता यथार्थता वर्ग 3) का प्लेटफार्म तोलन उपकरण है जिसकी (अधिकतम क्षमता 100 किलोग्राम और न्यूनतम क्षमता 400 ग्राम है। सत्यापन मापमान अन्तर (ई) 20 ग्राम है। इसमें एक टेयर युक्ति है जिसका व्यक्तात्मक प्रतिधारण टेयर प्रभाव 100 प्रतिशत है। भारमापी घात्विक प्लेट का है जिसका पार्श्व 620×470 मि.मी. है। संप्रतीक प्रकाश उत्सर्जन डायोड संप्रदर्श तोल परिणाम उपदिष्ट करता है। यह उपकरण 230 वोल्ट, 50 हर्ट्ज विद्युत प्रदाय पर प्रचालित होता है।



आकृति

आगे, केंद्रीय सरकार, यह घोषणा करती है कि माडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त के अनुसार और उसी सामग्री से, जिसमें अनुमोदित माडल का विनिर्माण किया गया है। विनिर्मित 50 किलोग्राम, 100 किलोग्राम, 200 किलोग्राम, 300 किलोग्राम, 500 किलोग्राम, 1000 किलोग्राम और 2000 किलोग्राम की अधिकतम क्षमता वाले समरूप मेक, यथार्थता और उसी सीरीज के कार्यकरण वाले मेज तल (टेबल टॉप) उपकरण भी हैं।

[फा. सं. डब्ल्यू.एम. 21(38)/94]

राजीव श्रीवास्तव, मयुक्त सचिव

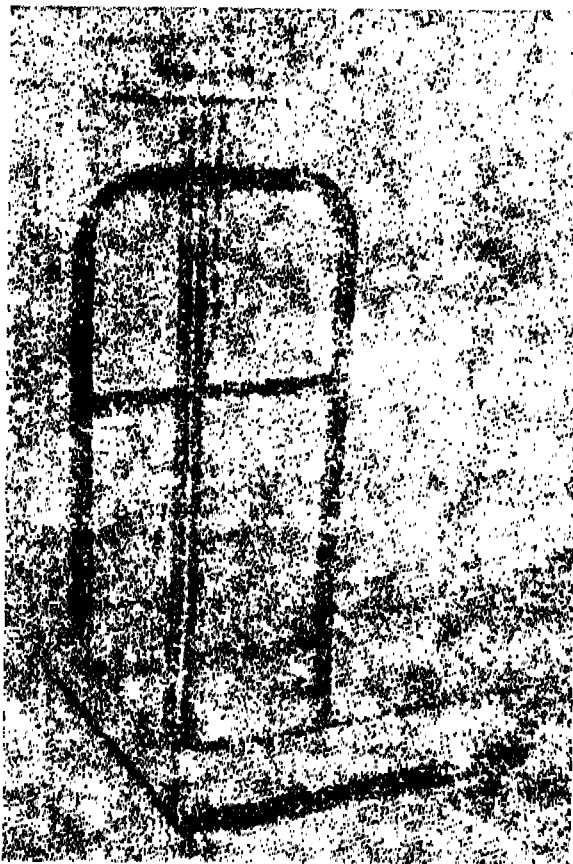
New Delhi, the 7th July, 1995

S.O. 2006.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain accuracy over periods of sustained use and to render accurate service under varied considerations ;

Now, therefore, in exercise of the powers conferred by sub-section (7) of Section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the Model of the self-indicating, non automatic table top weighing instrument of type PEP 100 series class III Medium accuracy (hereinafter referred to as the Model) manufactured by M/s. Pyramid Electronics Silvasa and is assigned the approval mark IND/09/94/80 ;

The Model (see figure) is a medium accuracy (accuracy class III) table top weighing instrument with a maximum capacity of 100 kg. and minimum capacity of 400 gram. The verification scale interval (e) is 20 gram. It has a tare device with a 100 per cent subtractive retained tare effect. The load receptor is of metallic plate of sides 620×470 millimetre. The LED display indicates the weighing result.

The instrument operates on 230 volts, 50 hertz power supply.



आकृति

Further, the Central Government hereby declares that this certificate of approval of the Model shall also cover the table top weighing instrument of similar make, accuracy and performance of same series with maximum capacity of 50 kg., 100 kg., 200 kg., 300 kg., 500 kg., 1000 kg and 2000 kg. manufactured by the same manufacturer in accordance with the same principle and with the same materials with which, the approved Model has been manufactured.

[F. No. WM-21 (38)/94]

RAJIV SRIVASTAVA, Jt. Secy.

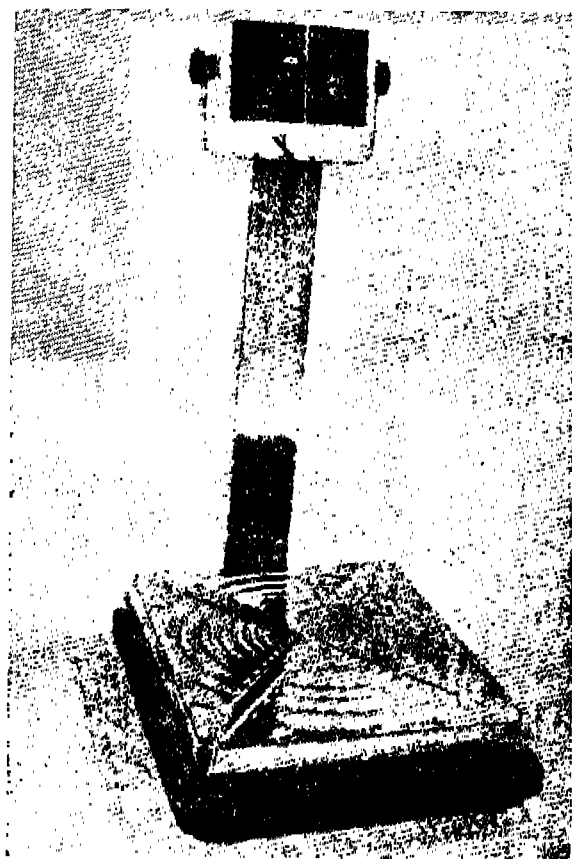
नई दिल्ली, 7 जुलाई, 1995

का.प्रा. 2007.—केंद्रीय सरकार का विहित प्राधिकारी द्वारा उसे प्रस्तुत की गई रिपोर्ट पर विचार करने के पश्चात् समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (माडल का अनुमोदन नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि उक्त माडल लगातार प्रयोग की अवधि में यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा देता रहेगा;

अतः केंद्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, वर्ग 3, मध्यम यथार्थता के टाइप पीएसएम 3 सिरिज के स्वतः सूचक गैर स्वचालित प्लेटफार्म तोलन उपकरण के माडल का (जिसे इसमें इसके पश्चात् माडल कहा गया 1657 GI 95 -5

है) जिसका विनिर्माण मैसर्स प्रिंसीसन हुना स्केल्स प्राइवेट लिमिटेड नागपुर द्वारा किया गया है और जिसे अनुमोदन चिन्ह आई.एन.डी./09/94/81 समनुदेशित किया गया है, प्रामोदन प्रमाणपत्र प्रकाशित करती है;

माडल (आकृति देखिए) एक मध्यम यथार्थता (यथार्थता वर्ग 3) का प्लेटफार्म तोलन उपकरण है जिसकी अधिकतम क्षमता 50 किलोग्राम और न्यूनतम क्षमता 200 ग्राम है। सत्यापन मापमान अंतर (ई) 10 ग्राम है। इसमें एक टेयर युक्ति है जिसका व्यक्लनात्मक प्रतिधारित टेयर प्रभाव 100 प्रतिशत है। भारग्राही घाटिक प्लेट है जिसका पाखं 450 × 550 मिलीमीटर है। प्रकाश उत्सर्जन डायोड संप्रदर्श तोल परिणाम उपदर्शित करता है। यह उपकरण 230 वोल्ट, 50 हर्टज के विद्युत प्रदाय पर प्रचालित होता है।



(Figure)

आगे केंद्रीय सरकार उक्त धारा की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि माडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त के अनुसार और उसी सामग्री से, जिससे अनुमोदित माडल का विनिर्माण किया गया है, विनिर्मित 100 किलोग्राम, 150 किलोग्राम, 250 किग्रा. 300 किलोग्राम, 500 किलोग्राम, 1000 किलोग्राम और 2000 किलोग्राम की अधिकतम क्षमता वाले समरूप मेक, यथार्थता और उसी सिरिज के कार्यकरण वाले प्लेटफार्म तोलन उपकरण भी है।

[फा.सं. डब्ल्यू.एम. 21 (36)/94]

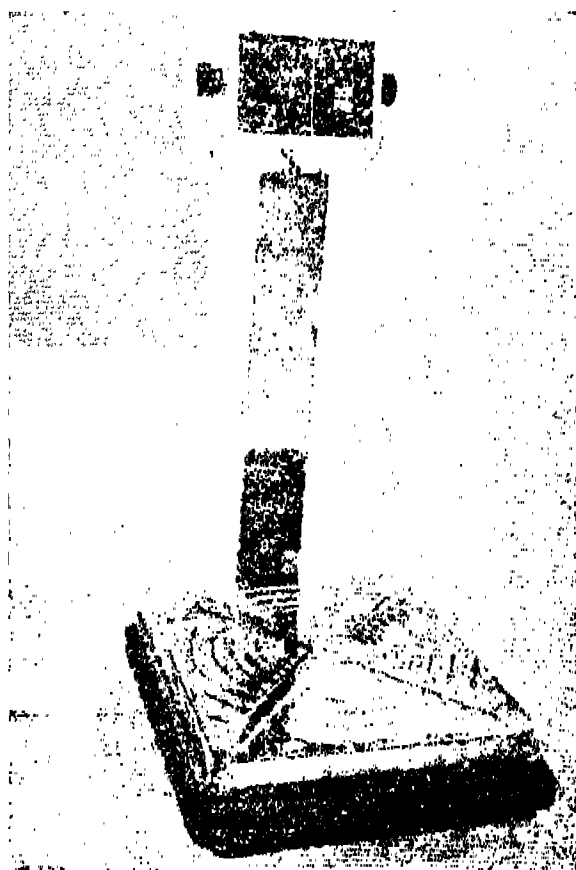
राजीव श्रीवास्तव संयुक्त शचिव

New Delhi, the 7th July, 1995

S.O. 2907.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority is satisfied that the Model described in the said report is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain accuracy and periods of sustained use and to render accurate service under varied conditions ;

Now, therefore, in exercise of the powers conferred by sub-section (7) of Section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the Model of the self-indicating non-automatic platform weighing instrument of type PS M 3 series class III Medium accuracy (hereinafter referred to as the Model) manufactured by M/s. Precision Hana Scales Pvt. Ltd., Nagpur is assigned the approval mark IND/09/94/81 ;

The Model (see figure) is a medium accuracy (accuracy class III) platform weighing instrument with a maximum capacity of 50 kg. and minimum capacity of 200 gram. The verification scale interval (e) is 10 gram. It has a tare device with a 100 per cent subtractive retained tare effect. The load receptor is of metallic plate of sides 450×550 millimetre. The LED display indicates the weighing result. The instrument operates on 230 volts, 50 hertz alternate current power supply.



(Figure)

Further, in exercise of the powers conferred by sub-section (12) of the said section, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instrument of similar make, accuracy performance of same series with maximum capacity of 100 kg. 150 kg., 250 kg., 300 kg., 500 k.g., 1000 kg., and 2000 kg. manufactured by the same manufacturer in accordance with the same principle and with the same materials with which, the approval Model has been manufactured.

[F. No. WM-21 (36)/94]

RAJIV SRIVASTAVA, Jt. Secy.

नई दिल्ली, 7 जुलाई, 1995

का.आ. 2008 :—केंद्रीय सरकार का विहित प्राधिकारी द्वारा उसे प्रस्तुत की गई रिपोर्ट पर विचार करने के पश्चात् समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल बाट और माप मानक अधिनियम, 1976, (1976 का 60) और बाट और माप मानक (माडल का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि उक्त माडल लगातार प्रयोग की श्रवधि में यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा देना रहेगा;

अतः केंद्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, वर्ग 3, मध्यम यथार्थता के टाइप पीएस-150 सिरीज के स्वतः मुचक गैर स्वचालित प्लेटफार्म तोलन उपकरण के माडल का (जिसे इसमें इसके पश्चात् माडल कहा गया है) जिसका विनिर्माण सैसर्मे प्रिंसीसल हना स्केल्स प्राइवेट लिमिटेड नागपुर द्वारा किया गया है और जिसे अनुमोदन चिन्ह आई.एन.डी./09/94/82 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है;

माडल (आकृति देखिए) एक मध्यम यथार्थता (यथार्थता वर्ग 3) का प्लेटफार्म तोलन उपकरण है जिसकी अधिकतम क्षमता 150 किलोग्राम और न्यूनतम क्षमता 1 किलोग्राम है। मत्यापन मापमान अन्तर (ई) 50 ग्राम है। इसमें एक युक्ति है जिसका व्यकलनात्मक प्रतिधारित टेयर प्रभाव 100 प्रतिशत है। भारग्राही धात्विक प्लेट का है जिसका पार्श्व 390 500 मिलीमीटर है। प्रकाश उत्सर्जन डायोड संप्रदर्श तोल परिणाम उपदर्शित करता है। यह उपकरण

230 वोल्ट, 50 हर्ट्ज के विद्युत प्रदाय पर प्रचालित होता है।



आकृति

आगे, केंद्रीय सरकार, उक्त धारा की उपधारा (12) द्वारा प्रवृत्त शक्तियों का प्रयोग करने हुए, यह घोषणा करती है कि माडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त के अनुसार और उसी सामग्री से, जिससे अनुमोदित माडल का विनिर्माण किया गया है, विनिर्मित 30 किलोग्राम, 60 किलोग्राम, 100 किलोग्राम, 200 किलोग्राम, 300 किलोग्राम, 500 किलोग्राम, 1000 किलोग्राम और 2000 किलोग्राम की अधिकतम क्षमता वाले समरूप मेक, यथार्थता और उसी सिरीज के कार्यकरण वाले प्लेटफार्म तौलन उपकरण भी हैं।

[फा.सं. डब्ल्यू.एम. 21(36)/94]

राजीव श्रीवास्तव, संयुक्त सचिव

New Delhi, the 7th July, 1995

S.O. 2008.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain accuracy over periods of sustained use and to render accurate service under varied conditions ;

Now, therefore, in exercise of the powers conferred by sub-section (7) of Section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the Model of the self-indicating, non-automatic platform weighing instrument of type PS 150 series class III Medium accuracy (hereinafter referred to as the Model) manufactured by M/s. Precision Hana scales Pvt. Ltd. Nagpur is assigned the approval mark IND '09/94/82 ;

The Model (see figure) is a medium accuracy (accuracy class III) platform weighing instrument with a maximum capacity of 150 kg. and minimum capacity of 1 kg. The verification scale interval (e) is 50 gram. It has a tare device with a 100 per cent subtractive retained tare effect. The load receptor is of metallic plate of sides 390×500 millimetre. The LED display indicates the weighing result. The instrument operates on 230 volts, 50 hertz alternate current power supply.



(Figure)

Further, in exercise of the powers conferred by sub-section (12) of the said section, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity of 30 kg., 60 kg., 100 kg., 200 kg., 300 kg., 500 kg., 1000 kg. and 2000 kg. manufactured by the same manufacturer in accordance with the same principle and with the same materials with which, the approval Model has been manufactured.

[F. No. WM-21(36)/94]

RAJIV SRIVASTAVA Jt. Secy.

कोयला मंत्रालय

नई दिल्ली, 26 जून, 1995

का.आ.2009.—केन्द्रीय सरकार को यह प्रतीत होता है कि इससे उपायय अनुसूची में उल्लिखित भूमि में कोयला अभिप्राप्त किये जाने की संभावना है।

अतः, अब, केन्द्रीय सरकार, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस क्षेत्र में कोयले का पूर्वक्षण करने के अपने आशय की सूचना देती है।

इस अधिसूचना के अन्तर्गत आने वाले क्षेत्र के रेखांक सं. ई.सी.एल./एल.ए./एस.एल.एन./एम.एच.एन./5/94 तारीख 20-1-95 का निरीक्षण ईस्टर्न कोलफील्ड्स लिमिटेड, मुख्यालय, सैक्टोरिया, डाकघर, दिसरगढ़, जिला बर्दवान (पश्चिमी बंगाल)—710033 के कार्यालय में या कलक्टर, बर्दवान जिला बर्दवान, के कार्यालय में या कोयला नियंत्रक, 1. काउंसिल हाउस स्ट्रीट, कलकत्ता-700001 के कार्यालय में किया जा सकता है।

इस अधिसूचना के अन्तर्गत आने वाली भूमि में हितबद्ध सभी व्यक्ति उक्त अधिनियम की धारा 13 की उपधारा (7) में निर्दिष्ट सभी नक्शों, चाटों और अन्य दस्तावेजों को, इस अधिसूचना के तारीख से नब्बे दिन के भीतर, कार्यालय भार-साधक/विभागाध्यक्ष (राजस्व) ईस्टर्न कोलफील्ड्स लिमिटेड, सैक्टोरिया, डाकघर, दिसरगढ़, जिला बर्दवान (पश्चिमी बंगाल) को भेजेंगे।

अनुसूची

सालनपुर क्षेत्र की मोहनपुर कोयला खान
जिला बर्दवान (पश्चिमी बंगाल)

(रेखांक सं. ई.सी.एल./एल.ए./एस.एल.एन./एम.एच.एन./5/94 तारीख 20-1-95 (पूर्वक्षण के लिये भूमि दर्शाते करने की अधिसूचना)।

क्रम संख्या मौजा/ग्राम	अधिकारिता सूची सं. (अ.सू.सं.)	पुलिस थाना	जिला	क्षेत्र हैक्टर में	टिप्पण
पहाड़गोडा	64	सालनपुर	बर्दवान	70	भाग
कुल क्षेत्र-70 हैक्टर					

सीमा वर्णन :

- क-ख रेखा, ग्राम (मौजा), समदी, अधिकारिता सूची सं. 63 की सम्मिलित सीमा के "क" बिन्दु से आरम्भ होती है और ग्राम (मौजा) पहाड़गोडा, अधिकारिता सूची सं. 64 के उत्तरी और से जाती है और ग्राम (मौजा) पहाड़गोडा अ.सू.सं. 64 और ग्राम (मौजा) मोहनपुर, अधिकारिता सं. 65 की सम्मिलित सीमा भाग "ख" बिन्दु पर मिलती है।
- ख-ग रेखा, ग्राम (मौजा) मोहनपुर अ.सू.सं. 65 की सम्मिलित सीमा से आरम्भ होती है और ग्राम (मौजा) मोहनपुर अ.सू.सं. 65 और ग्राम (मौजा) पहाड़गोडा अ.सू.सं. 64 की सम्मिलित सीमा से होते हुए मौजा मोहनपुर, सं. 65 और पहाड़गोडा, सं. 64 और बोलकुंदा अ.सू.सं. 67 के त्रिभुजक बिन्दु के बिन्दु "ग" पर मिलती है।
- ग-घ रेखा, मौजा पहाड़गोडा, अ.सू.सं. 64, मोहनपुर अ.सू.सं. 65 और बोलकुंदा अ.सू.सं. 67 के त्रिभुजक बिन्दु से आरम्भ होती है और ग्राम (मौजा) पहाड़गोडा अ.सू.सं. 64 और ग्राम बोलकुंदा अ.सू.सं. 67 की सम्मिलित सीमा से होकर जाती है और मौजा बोलकुंदा, समदी, पहाड़गोडा के त्रिभुजक बिन्दु के बिन्दु "घ" पर मिलती है।
- घ-क रेखा, मौजा पहाड़गोडा, बोलकुंदा और समदी के त्रिभुजक बिन्दु से आरम्भ होती है और ग्राम (मौजा) पहाड़गोडा और ग्राम (मौजा) की सम्मिलित सीमा से होते हुए बिन्दु "क" पर मिलती है।

[सं. 43010/10/95-एलएसडब्ल्यू]

एन. भगत, निदेशक

MINISTRY OF COAL

New Delhi, the 26th June, 1995

S.O. 2009 :—Whereas it appears to the Central Government that Coal is likely to be obtained from the lands mentioned in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act), the Central Government hereby gives notice of its intention to prospect for coal therein.

The plan bearing number ECL/LA/SLN/MHN/5/94, dated the 20th January, 1995 of the area covered by this notification can be inspected in the office of the Eastern Coalfields Limited, Headquarters Sanctoria Post Office Dishergarh, District Burdwan (West Bengal):710033 or in the office of the Collector Burdwan, District Burdwan (West Bengal) or in the office of the Coal Controller, 1, Council House Street Calcutta 700001.

All persons interested in the lands covered by this notification shall deliver all maps, charts and other documents referred to in sub-section (7) of section 13 of the said Act to the Officer-in-charge/Head of the Department (Revenue), Eastern Coalfields Limited, Sanctoria, Post Office Dishergarh, District Burdwan (West Bengal) within ninety days from the date of the publication of this notification in the Official Gazette.

SCHEDULE

Mohanpur Colliery of Salanpur Area

District Burdwan (West Bengal)

(Showing lands notified for prospecting)

(Plan number ECL/LA/SLN/MHN/5/94 dated the 20th January, 1995)

Serial Mouza/Village No.	Jurisdiction list number	Police Station	District	Area in hectares	Remarks
1. Pahargora	64	Salanpur	Burdwan	70	Part
Total Area :				70 hectares	(approximately)

Boundary description :

- A—B** The line starts from point 'A' the common boundary of village (mouza) Samdi, Jurisdiction list No. 63 and passes through north side of village (Mouza) Pahargora, Jurisdiction list No. 64 and meets at point 'B' common boundary of village (Mouza) Pahargora, Jurisdiction list No. 64 and village (Mouza) Mohanpur, Jurisdiction list No. 65.
- B—C** The line starts from the common boundary of village (Mouza) Mohanpur, Jurisdiction list No. 65 and passes through the common boundary of village (Mouza) Mohanpur, Jurisdiction list No. 65 and village (Mouza) Pahargora, Jurisdiction list No. 64 and meets at point 'C' the triangulation point of Mouza Mohanpur, Jurisdiction list No. 65 and Pahargora, Jurisdiction list No. 64 and Bolkunda, Jurisdiction list No. 67.
- C—D** The line starts from the triangulation point of Mouza Pahargora, Jurisdiction list No. 64, Mohanpur, Jurisdiction list No. 65 and Bolkunda, Jurisdiction list No. 67 and passes through the common boundary of village (Mouza) Pahargora, Jurisdiction list No. 64 and village Bolkunda, Jurisdiction list No. 67 and meets at point 'D' the triangulation point of Mouza Bolkunda, Samdi and Pahargora.
- D—A** The line starts from the triangulation point of Mouza Pahargora, Bolkunda and Samdi and passes through the common boundary of village (Mouza) Pahargora and village (Mouza) Samdi and meets at point 'A'

[No. 43015/10/95—LSW]

N. BHAGAT, Director

नई दिल्ली, 3 जुलाई, 1995

का.आ. 2010.—केन्द्रीय सरकार ने कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 4 की उपधारा (1) के अधीन भारत के राज्यत्व, भाग 2, खंड 3, उपखंड (ii), तारीख 23 अप्रैल, 1994 में प्रकाशित भारत सरकार के कोयला मंत्रालय की अधिसूचना का. आ. सं. — 962, तारीख 30 मार्च, 1994 द्वारा उस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट परिक्षेत्र की भूमि में जिसका माप 1657.00 एकड़ (लगभग) या 670.55 हेक्टेयर (लगभग) है, कोयला का पूर्वेक्षण करने के अपने आणय की सूचना दी थी ;

और केन्द्रीय सरकार का यह समाधान हो गया है कि उक्त भूमि के भाग में कोयला अभिप्राप्त है ।

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उस संलग्न अनुसूची में वर्णित 1657.00 एकड़ (लगभग) या 670-55 हेक्टेयर (लगभग) माप की उक्त भूमि का अर्जन करने के अपने आणय की सूचना देती है ।

टिप्पण 1:—इस अधिसूचना के अन्तर्गत आने वाले क्षेत्र के रेखांक सं. राजस्व/23/94, तारीख 6-8-94 का निरीक्षण उपायुक्त, हजारी बाग (बिहार) के कार्यालय में या कोयला नियंत्रक, 1, काउंसिल हाउस स्ट्रीट, कलकत्ता-1 के कार्यालय में या सेंट्रल कोलफील्ड्स लिमिटेड (राजस्व अनुभाग), दरभंगा हाउस, रांची (बिहार) के कार्यालय में किया जा सकता है ।

टिप्पण 2:—कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 8 के उपबंधों की ओर ध्यान आकृष्ट किया जाता है, जिसमें निम्नलिखित उपबंध है ।

“8. अर्जन की बाबत आपत्तियां

(1) कोई व्यक्ति जो किसी भूमि में जिसकी बाबत धारा 7 के अधीन अधिसूचना निकाली गई है, हितबद्ध है, अधिसूचना के निकाले जाने में तीस दिन के भीतर सम्पूर्ण भूमि या उसके किसी भाग या ऐसी भूमि में या उस पर के अधिकारों का अर्जन किए जाने के बारे में आपत्ति कर सकेगा ।

स्पष्टीकरण:—इस धारा के अन्तर्गत यह आपत्ति नहीं मानी जाएगी कि कोई व्यक्ति किसी भूमि में कोयला उत्पादन के लिए स्वयं खनन संक्रियाएं करना चाहता है और ऐसी संक्रियाएं केन्द्रीय सरकार या किसी अन्य व्यक्ति को नहीं करनी चाहिए ।

(2) उपधारा (1) के अधीन प्रत्येक आपत्ति सक्षम प्राधिकारी को लिखित रूप में की जाएगी और सक्षम प्राधिकारी आपत्तिकर्त्ताओं को स्वयं सुने जाने का या विधि व्यवसायी द्वारा सुनवाई का अवसर देगा और ऐसी सभी आपत्तियों को सुनने के पश्चात् और ऐसी अतिरिक्त जांच, यदि कोई हो, करने के पश्चात् जो वह आवश्यक समझता है वह या तो धारा 7 की उपधारा (1) के अधीन अधिसूचित भूमि के या ऐसी भूमि में या उस पर के अधिकारों के सम्बन्ध में एक रिपोर्ट या ऐसी भूमि के विभिन्न टुकड़ों या ऐसी भूमि में या उस पर के अधिकारों के सम्बन्ध में आपत्तियों पर अपनी सिफारिशों और उसके द्वारा की गई कार्यवाही के अभिलेख सहित विभिन्न रिपोर्टें केन्द्रीय सरकार को उसके विनिश्चय के लिए देगा ।

(3) इस धारा के प्रयोजनों के लिए वह व्यक्ति किसी भूमि में हितबद्ध समझा जाएगा जो प्रतिकर में हित का दावा करने का हकदार होता यदि भूमि या किसी ऐसी भूमि में या उस पर के अधिकार इस अधिनियम के अधीन अर्जन कर लिए जाते हैं” ।

टिप्पण 3:—केन्द्रीय सरकार ने कोयला नियंत्रक, 1, काउंसिल हाउस स्ट्रीट, कलकत्ता को अधिनियम के अधीन सक्षम प्राधिकारी नियुक्त किया है ।

अनुसूची

सुगिया ब्लॉक विस्तार

(रामगढ़ कोयला क्षेत्र)

जिला हजारीबाग (बिहार)

रेखांक संख्या, राजस्व/23/94

तारीख 6-8-94

(अर्जित की जाने वाली भूमि दर्शाते हूँ)

क्रम संख्या	ग्राम का नाम	थाना	थान सं.	जिला	क्षेत्र एकड़ में	क्षेत्र हेक्टेयर में	टिप्पणी
1. कैथा	रामगढ़		85	हजारीबाग	56.60	22.90	भाग
2. गोबर डरहा	रामगढ़		86	हजारीबाग	64.10	25.94	भाग
3. करमा	मंडु		176	हजारीबाग	170.00	68.94	भाग
4. सुगिया	मंडु		177	हजारीबाग	1366.30	552.91	भाग
कुल क्षेत्र					1657.00	एकड़ (लगभग)	
					670.55	हेक्टेयर (लगभग)	

ग्राम कैथा में अर्जित किए जाने वाले प्लॉट सं. :—

196 (भाग), 197 से 213, 214 (भाग), 218 (भाग), 219 (भाग), 356 (भाग), 258 (भाग), 259 से 288, 289 (भाग), 290 (भाग), 291 (भाग), 292 (भाग), 30 (भाग), 304 (भाग), 305 से 309, 310 (भाग), 311 (भाग), 312 (भाग), 313 (भाग), 215 (भाग), 317 (भाग), 318 (भाग), 352 (भाग), 393 (भाग), 354 से 364, 365 (भाग), 366 (भाग), 367, 368 (भाग), 369, 370 (भाग), 371 (भाग), 375 (भाग) और 2263।

ग्राम गोबर डरहा में अर्जित किए जाने वाले प्लॉट सं. :—

1 (भाग), 2 (भाग), 3 से 63, 64 (भाग), 65, 66 (भाग), 67, 68, 69 (भाग), 75 (भाग), 76 (भाग), 94 (भाग), 99 (भाग), 100 से 106, 107 (भाग), 108 (भाग), 109, 110, 111 (भाग), 115 (भाग), 136 (भाग), 137 (भाग), 138 (भाग), 139, 140 (भाग), 141 से 145, 146 (भाग), 150 (भाग), 151, 152, 153 (भाग) और 421।

ग्राम करमा में अर्जित किए जाने वाले प्लॉट सं. :—

3282 (भाग), 3300 (भाग), 3301 (भाग), 3303 (भाग), 3304, 3305, 3306 (भाग), 3307 से 3322, 3323 (भाग), 3324, 3325, 3326 (भाग), 3327 (भाग), 3337 (भाग), 3338 (भाग), 3339 (भाग), 3342 (भाग), 3530 (भाग), 3638 (भाग), 3639 (भाग), 3640, 3641 (भाग), 3642 (भाग), 3643, 3644, 3645, 3646, 3647 (भाग), 3648 (भाग), 3649, 3650 (भाग), 3652 (भाग), 3653 (भाग), 3656, 3657, 3658 (भाग), 3659 से 3666, 4005 (भाग), 4006 (भाग), 4007 (भाग), 4008 (भाग), 4009 से 4012, 4013 (भाग), 4014 (भाग), 4019 (भाग), 4022 (भाग), 4140 और 4141.

ग्राम सुगिया में अर्जित किए जाने वाले प्लॉट सं. :—

1 से 126, 127 (भाग), 131 (भाग), 306 (भाग), 310 (भाग), 320 (भाग), 321 से 329, 330 (भाग), 331 (भाग), 332, 333 (भाग), 334 (भाग), 330 (भाग), 340 (भाग), 341 (भाग), 342 (भाग), 343 से 401, 402 (भाग), 403 (भाग), 424 (भाग), 430 (भाग), 431 (भाग), 432 से 435, 436 (भाग), 437 से 451, 452 (भाग), 453 से 462, 463 (भाग), 464 से 481, 482 (भाग), 486 (भाग), 489, 490 (भाग), 532 (भाग), 564 (भाग), 599 (भाग), 600, 601 (भाग), 602 से 605, 606 (भाग), 607, 608, 609 (भाग), 610 (भाग), 613 (भाग), 614 से 811, 812 भाग 813 से 835, 836 (भाग), 881 (भाग), 882 (भाग), 883, 884 (भाग), 885 (भाग), 886 से 891, 892 (भाग), 893 (भाग), 896 से 904, 905 (भाग), 906, 907 (भाग), 908 से 911, 912 (भाग), 913 से 917, 918 (भाग), 921 (भाग), 923 (भाग), 924,

925 (भाग), 926 में 929, 930 (भाग), 931, (भाग), 933 (भाग), 943 से 941, 955, 956, 957 और 958 सीमा वर्णन :—

क—य	रेखा भोगत : करमा और बहुड़ाखाग, सुगिया और बहुड़ाखाप ग्रामों की सम्मिलित सीमा के साथ-साथ जाती है और बिन्दु “ख” पर मिलती है ।
ख—ग	रेखा ग्राम कैथा में प्लॉट सं. 2263, 196, 214, 218, 219, 258, 256, 289, 290, 291, 292, 304, 303, 310, 311, 312, 313, 315, 317, 318, 353, 375, 352, 370, 368, 371, 366, और 265 से होकर जाती है फिर ग्राम गोवरडहा प्लॉट सं. 153, 150, 146, 140, 138, 137, 136, 107 108, 111, 115, 94, 99, 64, 66, 69, 75, 76, 2 और 1 से होकर जाती है तथा बिन्दु “ङ” पर मिलती है ।
ङ—भ	रेखा दामोदर नदी की मध्य रेखा के साथ-साथ जाती है जो सुगिया और गोवरडहा, सुगिया और हुआ, सुगिया और लोडमा ग्रामों की सम्मिलित सीमा बनाती है तथा बिन्दु “ब” पर मिलती है ।
ब—छ—ज—झ	रेखा ग्राम सुगिया में प्लॉट सं. 933, 812, 931, 930, 884, 925, 923, 921, 892, 893, 912, 918, 912, 684 और 933 में दामोदर नदी से होकर जाती है । भागतः सुगिया कोयला खान पट्टा सीमा की सम्मिलित सीमा के साथ-साथ जो दामोदर नदी की मध्य रेखा है । और बिन्दु “झ” पर मिलती है ।
झ—अ	रेखा दामोदर नदी की मध्य रेखा के साथ-साथ जाती है जो सुगिया और लोडमा ग्रामों की सम्मिलित सीमा का भाग है तथा बिन्दु “ज” पर मिलती है ।
अ—ट	रेखा दामोदर नदी से होकर जाती है और नदी के साथ-साथ जाती है जो सुगिया और बडकी डंडी की सम्मिलित सीमा है तथा बिन्दु “ट” पर मिलती है ।
ट—ड—ड—क	रेखा ग्राम करमा में प्लॉट सं. 4019, 4014, 4022, 4013, 4007, 4006, 4008, 4005, 4022, 3656, 3658, 3653, 3652, 3650, 3648, 3647, 3642, 3638, 3639, 3430, 3641, 3430, 3326, 3327, 3323, 3306, 3337, 3306, 3330, 3339, 3342, 3303, 3301, 3300 और 3302 से होकर ग्राम सुगिया में प्लॉट सं. 907, 905, 885, 884, 882, 884, 881, 884, 812, 836, 812, 342, 341, 340, 330, 334, 306, 333, 331, 330, 320, 319, 482, 408, 490, 463, 490, 452, 424, 431, 430, 436, 403, 402, 523, 499, 601, 606, 609, 610, 113, 564, 127 और 131 से होकर जाती है और आरंभिक बिन्दु “क” पर मिलती है ।

[सं. 43015/21/91—एल.एस. डब्ल्यू]

एन. भगत, निदेशक

New Delhi, the 3rd July, 1995

S O.2010.— Whereas by the notification of the Government of India in the Ministry of Coal, number S.O. 962 dated the 30th March, 1994 published in the Gazette of India Part II Section 3 Sub-Section (ii) dated the 23rd April, 1994 under sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act 1957 (20 of 1957) the Central Government gave notice of its intention to prospect for coal in 1657.00 acres (approximately) or 670.55 hectares (approximately) of the lands in the locality specified in the Schedule appended to that notification.

And whereas the Central Government is satisfied that coal is obtainable in the said lands;

Now, therefore in exercise of the powers conferred by sub-section (1) of section 7 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government hereby gives notice of its intention to acquire the said lands measuring 1657.00 acres (approximately) or 670.55 hectares (approximately) described in the Schedule appended hereto.

Note :

1. The plan bearing No. Rev/23/94, dated the 6th August, 1994 of the area covered by this notification may be inspected in the office of the Deputy Commissioner, Hazaribagh (Bihar) or in the office of the Coal Controller, 1, Council House Street, Calcutta, or in the office of the Central Coalfields Limited (Revenue Section), Darbhanga House, Ranchi (Bihar).

Note :

2 Attention is hereby invited to the provisions of section 8 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), which provides as follows :—

Objection to acquisition :

"8(1) Any person interested in any land in respect of which a notification under section 7 has been issued may within thirty days of the issue of the notification object to the acquisition of the whole or any part of the land or of any rights in or over such land.

Explanation : It shall not be an objection within the meaning of this section for any person to say that he himself desires to undertake mining operations in the land for the production of coal and that such operations should not be undertaken by the Central Government or by any other person.

(2) Every objection under sub-section (1) shall be made to the competent authority in writing, and the competent authority shall give the objector an opportunity of being heard either in person or by a legal practitioner and shall, after hearing all such objections and after making such further inquiry, if any, as he thinks necessary, either make a report in respect of the land which has been notified under sub-section (1) of section 7 or of rights in or over such land for make different reports in respect of different parcels of such land or of rights in or over such land to the Central Government, containing his recommendations on the objections, together with the record of the proceedings held by him, for the decision of that Government

(3) For the purpose of this section, a person shall be deemed to be interested in land who would be entitled claim an interest in compensation if the land or any rights in or over such land were acquired under this act".

Note :

3. The coal Controller, I, Council House Street, Calcutta has been appointed by the Central Government as the competent authority under the Act.

SCHEDULE

Sugia Block Extension
(Ramgarh Coalfield)
District Hazaribagh (Bihar)

Drg. No. Rev/23/94
Dated 6-8-94
(Showing lands to be acquired)

Serial number	Name of Village	Thana	Thana No.	District	Area in acres	Area in Hectares	Remarks
1.	Kaitha	Ramgarh	85	Hazaribagh	56.60	22.90	Part
2.	Gobardarha	Ramgarh	86	Hazaribagh	64.10	25.94	Part
3.	Karma	Mandu	176	Hazaribagh	170.00	68.80	Part
4.	Sugia	Mandu	177	Hazaribagh	1366 30	552.91	Part
Total Area :					1657.00 acres (approximately)		
or					670.55 hectares (approximately)		

Plot number to be acquired in village Kaitha :—196(part), 197 to 213, 214(part), 218(part), 219(part), 256(part), 258(Part), 259 to 288, 289(part), 290(part), 291(part), 292(part), 303(part), 304(part), 305 to 309, 310(part), 311(part), 312(part), 313(part), 315(part), 317(part), 318(part), 352(part), 353(part), 354 to 364, 365(part), 366(part), 367, 368(part), 369, 370(part), 371(part), 375(part), and 2263.

Plot numbers to be acquired in village Gobardarha : 1(part), 2(part), 3 to 63, 64(part), 65, 66(part), 67, 68, 69(part), 75(part), 76(part), 94(part), 99(part), 100 to 106, 107(part), 108(part), 109, 110, 111(part), 115(part), 136(part), 137(part), 138(part), 139, 140(part), 141 to 145, 146(part), 150(part), 151, 152, 153(part) and 421.

Plot numbers to be acquired in village Karma :—3282(part), 3300(part), 3301(part), 3303(part), 3304, 3305, 3306(part), 3307 to 3322, 3323(part), 3324, 3325, 3326(part), 3327(part), 3337(part), 3338(part), 3339(part), 3342(part), 3430(part), 3638(part), 3639(part), 3640, 3641(part), 3642(part), 3643, 3644, 3645, 3646, 3647(part), 3648(part), 3649, 3650(part), 3652(part), 3653(part), 3656(part), 3657, 3658(part), 3659 to 3666, 4005(part), 4006(part), 4007(part), 4008(part), 4009 to 4012, 4013(part), 4014(part), 4019(part), 4022(part), 4140 and 4141.

Plot numbers to be acquired in village Sugia :—1 to 126, 127 (part), 131 (part), 306 (part), 319 (part), 320 (part), 321 to 329, 330 (part), 331 (part), 332, 333 (part), 334 (part), 338 (part), 340 (part), 341 (part), 342 (part), 343 to 401, 402 (part), 403 (part), 424 (part), 430 (part), 431 (part), 432 to 435, 436 (part), 437 to 451, 452 (part), 453 to 462, 463 (part), 464 to 481, 482 (part), 488 (part), 489, 490 (part), 523 (part), 564 (part), 599 (part), 600, 601 (part), 602 to 605, 606 (part), 607, 608, 609 (part), 610 (part), 613 (part), 614 to 811, 812 (part), 813 to 835, 836 (part), 881 (part), 882 (part), 883, 884 (part), 885 (part), 886 to 891, 892 (part), 893 (part), 896 to 904, 905 (part), 906, 907 (part), 908 to 911, 912 (part), 913 to 917, 918 (part), 921 (part), 923 (part), 924, 925 (part), 926 to 929, 930 (part), 931 (part), 933 (part), 934 to 941, 955, 956, 957 and 958.

Boundary description :—

- A-B** line passes along part common boundary of villages Karma and Bhurakhap, Sugia and Bhurakhap and meets at point 'B'.
- B, C-D-E** lines pass through plot numbers 2263, 196, 214, 218, 219, 258, 256, 289, 290, 291, 292, 304, 303, 310, 311, 312, 313, 315, 317, 318, 353, 375, 352, 370, 368, 371, 366 and 365 in village Kaitha then through plot numbers 153, 150, 146, 140, 138, 137, 136, 107, 108, 111, 115, 94, 99, 64, 66, 69, 75, 76, 2 and 1 in village Gobardarha and meet at point 'E'.
- E-F** line passes along the central line of River Damodar which forms part common boundary of villages Sugia and Gobardarha, Sugia and Huhua, Sugia and Lodma and meets at point 'F'.
- F-G-H-I** lines pass through Damodar River in plot numbers 933, 812, 931, 930, 884, 925, 923, 921, 892, 893, 912, 918, 912, 884 and 933 in village Sugia (along part common boundary of Sugia Colliery lease boundary which is central line of Damodar River) and meet at point 'I'.
- I-J** line passes along central line of Damodar River which is the part common boundary of villages Sugia and Lodma and meets at point 'J'.
- J-K** line passes through Damodar River and passes along the River which is the common boundary of villages Sugia and Barkidundi and meets at point 'K'.
- K-L-M-A** lines pass through plot numbers 907, 905, 885, 884, 882, 884, 881, 884, 812, 836, 812, 342, 341, 340, 338, 334, 306, 333, 331, 330, 320, 319, 482, 488, 490, 463, 490, 452, 424, 431, 430, 436, 403, 402, 523, 599, 601, 606, 609, 610, 613, 564, 127, 131, in village Sugia through plot numbers 4019, 4014, 4022, 4013, 4007, 4006, 4008, 4005, 4022, 3656, 3658, 3653, 3652, 3650, 3648, 3647, 3642, 3638, 3639, 3430, 3641, 3430, 3326, 3327, 3323, 3306, 3337, 3306, 3338, 3339, 3342, 3303, 3301, 3300 and 3282 in village Karma and meets at starting point 'A'.

[No. 43015/21/91-LSW]

N BHAGAT, Director

नई दिल्ली, 3 जुलाई, 1995

का.आ. 2011.—केन्द्रीय सरकार, को यह प्रतीत होता है कि इससे उपाय अतः सूची में उचित भूमि में कोयला अभिप्राप्त किये जाने की संभावना है ;

अतः अब, केन्द्रीय सरकार, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस क्षेत्र में कोयले का पूर्वेक्षण करने के अपने आणय की सूचना देती है ;

इस अधिसूचना के अन्तर्गत आने वाले क्षेत्र के रेखांक सं. डी.आर.सी./लैड 95/1, तारीख 19 जनवरी, 1995 का निरीक्षण ईस्टर्न कोलफील्ड्स लि., मुख्यालय सेक्टरिया, पो.आ. विसेरगढ़, जिला बर्दवान (पश्चिमी बंगाल)-713333 के कार्यालय में या कोयला नियंत्रक, 1, कार्लमिल हाउस स्ट्रीट, कलकत्ता-700001 के कार्यालय में किया जा सकता है।

इस अधिसूचना के अन्तर्गत आने वाली भूमि में हितबद्ध सभी व्यक्ति उक्त अधिनियम की धारा 13 की उपधारा (7) में निर्दिष्ट सभी नक्शों, चार्टों और अन्य दस्तावेजों को, इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से नब्बे दिन के भीतर, भारसाधक अधिकारी/विभागाध्यक्ष (राजस्व), ईस्टर्न कोलफील्ड्स लि., सेक्टरिया, पो.आ. विसेरगढ़, जिला बर्दवान (पश्चिमी बंगाल) को भेजेंगे।

अनुसूची

सालनपुर क्षेत्र की खोबर कोयला खान

जिला-बर्द्धमान (पश्चिमी बंगाल)

(रेखांक स. डी आर सी/लैंड/95/1, तारीख 19-1-1995)

(पूर्वक्षेत्र के लिये अधिसूचित भूमि दर्शाते हुए)

क्रम सं. मौजा/ग्राम	अधिकारिता सूची सं.	पुलिस स्टेशन	जिला	हैक्टर में क्षेत्र	टिप्पणियां
1. फुलबेरिया	59	सालनपुर	बर्द्धमान	32	भाग
1		कुल क्षेत्र		32 हैक्टर	

सीमा वर्णन :—

क-ख रेखा बिन्दु "क", जो, मौजा (ग्राम) लोहट, अधिकारिता सूची सं. 61, फुलबेरिया, अधिकारिता सूची सं. 59 और अलकुशा अधिकारिता सूची सं. 58 की सम्मिलित सीमा की जंक्शन बिन्दु है, से आरम्भ होती है तथा मौजा अलकुशा, अधिकारिता सूची सं. 58 और फुलबेरिया अधिकारिता सूची सं. 59 की सम्मिलित सीमा से होकर जाती है और बिन्दु "ख" पर मिलती है। रेखा, मौजा (ग्राम) फुलबेरिया, अधिकारिता सूची सं. 59 की उत्तरी सम्मिलित सीमा है।

ख-ग रेखा बिन्दु 'ख' जो, ग्राम (मौजा) फुलबेरिया, अधिकारिता सूची सं. 59 और मौजा (ग्राम) अलकुशा, अधिकारिता सूची सं. 58 के जंक्शन बिन्दु से आरम्भ होती है तथा बिन्दु 'ग' पर मिलती है। रेखा मौजा (ग्राम) फुलबेरिया, अधिकारिता सूची सं. 59 के उत्तर की ओर में है।

ग-क रेखा बिन्दु "ग" जो, मौजा (ग्राम) लोहट अधिकारिता सूची सं. 61, मौजा (ग्राम) सावना अधिकारिता सूची सं. 60 और मौजा (ग्राम) फुलबेरिया अधिकारिता सूची सं. 59 के जंक्शन, से आरम्भ होती है तथा मौजा (ग्राम) फुलबेरिया अधिकारिता सूची सं. 59 और मौजा (ग्राम) लोहट अधिकारिता सूची सं. 61 की सम्मिलित सीमा से होकर जाती है तथा बिन्दु "क" जो, मौजा (ग्राम) लोहट अधिकारिता सूची सं. 61, मौजा (ग्राम) फुलबेरिया अधिकारिता सूची सं. 59 और मौजा (ग्राम) अलकुशा अधिकारिता सूची सं. 58 की सम्मिलित सीमा के जंक्शन बिन्दु पर मिलती है।

[फा.सं. 43015/11/95-एसएसएचयू]

एन. भगत, निदेशक

New Delhi, the 3rd July, 1995

S.O. 2011.—Whereas it appears to the Central Government that Coal is likely to be obtained from the lands mentioned in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act), the Central Government hereby gives notice of its intention to prospect for Coal therein

The plan bearing No. DRC/LAND/95/1 dated the 19th January, 1995 of the area covered by this notification can be inspected in the Office of the Eastern Coalfields Limited, Headquarter, Sanctoria, Post Office Disergarh, District Burdwan (West Bengal)-713333 or in the office of the Collector, Burdwan, District Burdwan (West Bengal) or in the office of the Coal Controller, 1, Council House Street, Calcutta-700001.

All persons interested in the lands covered by this notification shall deliver all maps, charts and other documents referred to in sub-section (7) of section 13 of the said Act to the Officer-in-Charge/Head of the Department (Revenue), Eastern Coalfields Limited, Sanctoria, Post Office Disergarh, District Burdwan (West Bengal) within ninety days from the date of the publication of this notification in the Official Gazette.

SCHEDULE

Dabor Colliery of Salanpur Area

District Burdwan/West Bengal)

(Plan No. DRC/LAND/95/1 dated the 19th January, 1995)

(Showing lands notified for prospecting)

Serial number	Mouza/Village	Jurisdiction list number	Police Station	District	Area in hectares	Remarks
1.	Fulberia	59	Salanpur	Burdwan	32	Part
Total area :						32 hectares (approximately)

Boundary description:

- A-B The line starts from point 'A' the junction point of common boundary of Mouza (Village) Lohat, Jurisdiction list No. 61, Fulberia, Jurisdiction list No. 59 and Alkusha Jurisdiction list No. 58 and passes through the common boundary of Mouza Alkusha, J.L. No. 58 and Fulberia, J.L. No. 59 and meet at point 'B'. The line in the North common boundary of Mouza (Village) Fulberia, J.L. No. 59.
- B-C The line starts from point 'B' the junction point of Mouza (Village) Fulberia, Jurisdiction list No. 59 and Mouza (Village) Alkusha, Jurisdiction list No. 58 and meet at point 'C' The line is in the north side of Mouza (Village) Fulberia, Jurisdiction list No. 59.
- C-A The line starts from point 'C' the junction point of mouza (Village) Lohat, J.L. No. 61, Mouza (Village) Sudhna, J.L. No. 60 and Mouza (Village) Fulberia, J.L. No. 59 and passes through the common boundary of Mouza (Village) Fulberia, J.L. No. 59 and Mouza (Village) Lohat, J.L. No. 61 and meet at point 'A' the junction point of common boundary of Mouza (Village) Lohat, J.L. No. 61, Mouza (Village) Fulberia, J.L. No. 61, Mouza (Village) Fulberia, J.L. No. 59 and Mouza (Village) Alkusha, J.L. No. 58.

[No. 43015/11/95-LSW]

N. BHAGAT, Director

नई दिल्ली, 3 जुलाई, 1995

का.आ. 2012.—केन्द्रीय सरकार को यह प्रतीत होता है कि इससे उपाबद्ध अनुसूची में उल्लिखित भूमि में कोयला अभिप्राप्त किये जाने की संभावना है ;

अतः, अब, केन्द्रीय सरकार, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उस क्षेत्र में कोयले का पूर्वेक्षण करने के अपने आशय की सूचना देती है;

इस अधिसूचना के अन्तर्गत आने वाले क्षेत्र के रेखांक सं. आर ई पी/33/94, तारीख 28 दिसम्बर, 1994 का निरीक्षण सेंट्रल कोलफील्ड्स लिमिटेड (राजस्व विभाग) दरभंगा हाउस, रांची के कार्यालय में या कोयला निगंत्रक, 1, वाउंसिल हाउस, स्ट्रीट, कलकत्ता के कार्यालय में या उपायुक्त, हजारीबाग (बिहार) के कार्यालय में किया जा सकता है :

इस अधिसूचना के अन्तर्गत आने वाली भूमि में हितबद्ध सभी व्यक्ति उक्त अधिनियम की धारा 13 की उपधारा (7) में निर्दिष्ट सभी तक्तों चार्टों और अन्य दस्तावेजों को, इस अधिसूचना के प्रकाशन की तारीख से नब्बे दिन के भीतर, भारसाधक अधिकारी/विभागाध्यक्ष (राजस्व) सेंट्रल कोलफील्ड्स लिमिटेड, दरभंगा हाउस, रांची को भेजेंगे।

अनुसूची

चानो—रिक्वा उत्तरी और पूर्वी विस्तार खण्ड

उत्तरी करनपुरा कोयला क्षेत्र

जिला—हजारीबाग (बिहार)

खण्ड-1

(पर्वत के निचे अधिसूचित भूमि दर्शाने हुए)

क्रम सं.	ग्राम	थाना	थाना सं.	जिला	क्षेत्र एकड़ में	क्षेत्र हैक्टर में	टिप्पणीयां
1.	खापिया	मण्डु	29	हजारीबाग	55.00	22-25	भाग
2.	कुरा	मण्डु	30	हजारीबाग	770-00	311-60	भाग
3.	लुरंगा	बरकागांव	150	हजारीबाग	55-00	22-25	भाग
					कुल क्षेत्र	880-00 एकड़ (लगभग)	
					या	356-10 हैक्टर (लगभग)	

सीमा वर्णन :

- क-ख रेखा ग्राम कुरा से होकर जाती है और बिन्दु "ख" पर मिलती है।
- ख-ग-घ रेखा ग्राम लुरंगा से होकर जाती है और बिन्दु "घ" पर मिलती है।
- घ-ङ रेखा ग्राम कुरा से होकर जाती है और बिन्दु "ङ" पर मिलती है।
- ङ-च-छ-ज-झ रेखा ग्राम कुरा और खापिया से होकर जाती है (जो का.आ.सं. 3655, तारीख 27 नवम्बर, 1962 द्वारा कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 की धारा 9(1) के अधीन अर्जित चानो रिक्वा खण्ड की सम्मिलित सीमा के भाग को बनाती है) और बिन्दु "झ" पर मिलती है।
- झ-झा-क रेखा ग्राम खापिया और कुरा से होकर जाती है, तथा आरंभिक बिन्दु "क" पर मिलती है।

खण्ड-2

क्र. सं.	ग्राम	थाना	थाना सं.	जिला	क्षेत्र एकड़ में	क्षेत्र हैक्टर में	टिप्पणीयां
1.	मोबही मोरहा	मण्डु	20	हजारीबाग	100.00	40-47	भाग
2.	खापिया	मण्डु	29	हजारीबाग	300.00	103-78	भाग
3.	कांकी	मण्डु	47	हजारीबाग	420.00	169-97	भाग
					कुल क्षेत्र :	900.00 एकड़ (लगभग)	
					या	364.22 हैक्टर (लगभग)	

सीमा-वर्णन

- ट-ठ : रेखा ग्राम खापिया से होकर जाती है [जो का.आ.सं. 3605, तारीख 27 नवम्बर, 1962 द्वारा कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 की धारा 9(1) के अधीन चानो-रिक्वा खण्ड की सम्मिलित सीमा के भाग को बनाती है] और बिन्दु "ठ" पर मिलती है।
- ठ-ड : रेखा ग्राम कांकी से होकर जाती है और बिन्दु "ड" पर मिलती है।
- ड-ड-ट : रेखा ग्राम मोबही मोरहा और खापिया से होकर जाती है तथा आरंभिक बिन्दु "ट" पर मिलती है।

[सं. 43015/6/95-एन एन डब्ल्यू.]

एन. भगत, निदेशक

New Delhi, the 3rd July, 1995

S.O. 2012.—Whereas it appears to the Central Government that Coal is likely to be obtained from the lands mentioned in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government hereby gives notice of its intention to prospect for coal therein;

The plan No. Rev/33/94, dated the 28th December, 1994, of the area covered by this notification can be inspected at the office of the Central Coalfields Limited (Revenue Department), Darbhanga House, Ranchi or at the office of the Coal Controller, 1, Council House Street, Calcutta or at the office of the Deputy Commissioner, Hazaribagh (Bihar);

All persons interested in the land covered by this notification shall deliver all maps, carts and other documents referred to in sub-section (7) of section 13 of the said Act to the Officer-in-Charge/Head of the Department (Revenue) Central Coalfields Limited, Darbhanga House, Ranchi within ninety days from the date of publication of this notification.

SCHEDULE

CHANO-RIKBA NORTHERN AND EASTERN EXTENSION BLOCK
NORTH KARANPURA COALFIELDS
DISTRICT HAZARIBAG (BIHAR)
(Showing land notified for prospecting)

BLOCK-I

Serial number	Village	Thana	Thana number	District	Area in acres	Area in hectares	Remarks
1.	Khapia	Mandu	29	Hazaribagh	55.00	22.25	Part
2.	Kura	Mandu	30	Hazaribagh	770.00	311.60	Part
3.	Lurunga	Barkagaon	150	Hazaribagh	55.00	22.25	Part
Total Area :-					880.00 acres		
					(approximately)		
					or 356.10 hectares		
					(approximately)		

Boundary description :—

- A-B : line passes through village Kura and meets at point 'B'.
 B-C-D : lines pass through village Lurunga and meets at point 'D'.
 D-E : line passes through village Kura and meets at point 'E'.
 E-F-G-H-I : lines pass through villages Kura and Khapia [which forms part common boundary of Chano-Rikba Block acquired u/s 9(1) of Coal Bearing Area (Acquisition and Development) Act, 1957 vide S.O. No. 3685, dated the 27th November, 1962] and meet at point 'T'.
 I-J-A : lines pass through villages Khapia and Kura and meet at starting point 'A'.

BLOCK-II

Serial number	Village	Thana	Thana number	District	Area in acres	Area in hectares	Remarks
1.	Monhe Morha	Mandu	28	Hazaribagh	100.00	40.47	Part
2.	Khapia	Mandu	29	Hazaribagh	380.00	153.78	Part
3.	Kanki	Mandu	47	Hazaribagh	420.00	169.97	Part
Total Area :-					900.00 acres	(approximately)	
					or 364.22 hectares	(approximately)	

Boundary description :—

- K-L : line passes through village Khapia [which forms part common boundary of Cahano- Rikba Block acquired u/s 9(1) of Coal Bearing Area (Acquisition and Development) Act, 1957 vide S.O. No. 3685, dated the 27th November, 1962] and meets at point 'L'.
- L-M : line passes through village Kanki and meets at point 'M'.
- M-N-K : lines pass through villages Monhe Morha and Khapia and meets at starting point 'K'.

[No. 43015/6/95-LSW]

N. BHAGAT, Director

शुद्धि-पत्र

नई दिल्ली, 3 जुलाई, 1995

का. आ. 2013 :—भारत के राजपत्र, तारीख 1 अप्रैल, 1995 के भाग—2, खंड—3, उपखंड (ii) में पृष्ठ संख्या 1259 एवं 1260 पर प्रकाशित भारत सरकार कोयला मंत्रालय की अधिसूचना का. आ. संख्या 880 तारीख 8 मार्च, 1995 में:—

पृष्ठ क्रमांक 1259, अधिसूचना में,

पंक्ति 5—“2218—012 हैक्टर” के स्थान पर “2218.012” हैक्टर पढ़ें।

पंक्ति 9—“218.12 हैक्टर” के स्थान पर “2218.012 हैक्टर” पढ़ें।

स्पष्टीकरण में:—

पंक्ति 7—“(3) उपधारा (1)” के स्थान पर “(2) उपधारा (1)” पढ़ें।

पृष्ठ क्रमांक 1260, तालिका में:—

क्रम संख्या 1 “6. बीचा (जिसका सर्वेक्षण किया गया)” के स्थान पर “1 बीचा (जिसका सर्वेक्षण नहीं किया गया)” पढ़ें।

क्रम संख्या 3—“आरक्षित वन कम्पार्टमेंट संख्यांक 505” के स्थान पर “आरक्षित वन कम्पार्टमेंट संख्यांक 585” पढ़ें।

कूल में—“2218.012” के स्थान पर “2218.012 हैक्टर” पढ़ें।

[का. अ. 43015/20/93-एल.एस. डब्ल्यू]

नरेन्द्र भगत, निदेशक

आदेश

नई दिल्ली, 6 जुलाई, 1995

का. आ. 2014 :—कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे हमने इसके पश्चात् उक्त अधिनियम कहा गया)

है) की धारा 3 की उपधारा (1) के अधीन निकाली गई और भारत सरकार के कोयला मंत्रालय की अधिसूचना संख्यांक का. आ. 321 (अ), तारीख 18 मई, 1993 द्वारा भारत के राजपत्र, भाग 2, खंड 3, उपखंड (ii), तारीख 18 मई, 1993 में प्रकाशित होने पर, उक्त अधिसूचना से संलग्न अनुसूची में वर्णित भूमि के खनन, इसमें इसके पश्चात् उक्त भूमि कहा गया है और ऐसी भूमि या उस पर के अधिकार उक्त अधिनियम की धारा 10 की उपधारा (1) के अधीन, सभी वित्तगतों से मुक्त होकर, आत्यंतिक रूप से केन्द्रीय सरकार में निहित हो गई थी :

और, केन्द्रीय सरकार का यह समाधान हो गया है कि महानदी कोलफील्ड्स लि., सम्बलपुर (उड़ीसा) (जिसे इसमें इसके पश्चात् सरकारी कंपनी कहा गया है), ऐसे निबंधनों और शर्तों का, जो केन्द्रीय सरकार इस निमित्त अधिरोपित करना उचित समझे, अनुपालन करने के लिए राजामंद है.

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 11 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि इस प्रकार निहित उक्त भूमि या उस पर के अधिकार, तारीख 18 मई, 1993 से केन्द्रीय सरकार में इस प्रकार निहित रहने की बजाय निम्नलिखित निबंधनों और शर्तों के अधीन रहने हुए, उक्त सरकारी कंपनी में निहित हो जाएंगे, अर्थात्:—

(1) उक्त सरकारी कंपनी, उक्त अधिनियम के उपबंधों के अधीन यथा अवधारित प्रतिकर, व्याज और नुकसान, आदि की बाबत किए गए सभी संदायों को केन्द्रीय सरकार को प्रतिपूर्ति करेगी।

(2) कंपनी द्वारा शर्त 1 के अधीन, केन्द्रीय सरकार को संदेय रकमों का अवधारण करने के प्रयोजन के लिए एक अधिकरण का गठन किया जाएगा और ऐसे किसी अधिकरण और ऐसे अधिकरण की सहायता के लिए नियुक्त व्यक्तियों के संबंध में उपगत सभी व्यय, कंपनी वहन करेगी और इसी प्रकार, इस प्रकार निहित भूमि में या उस पर के अधिकारों के लिए या उनके संबंध में सभी विधिक कार्यवाहियों जैसे अपील आदि

की बाबत उपगत समीक्ष्य श्री सरकारी कंपनी बहन करेगी।

- (3) सरकारी कंपनी, केन्द्रीय सरकार या उसके पद-धारियों की, ऐसे किसी अन्य व्यय के संबंध में, जो इस प्रकार निहित भूमि में या उस पर के अधिकारों के बारे में, केन्द्रीय सरकार या उसके पदधारियों द्वारा या उनके विश्व किन्हीं कार्यवाहियों के संबंध में आवश्यक हो, अनिर्णीत करेगी।
- (4) कंपनी को, केन्द्रीय सरकार के पूर्व अनुमोदन के बिना, उपरोक्त पैरा 1 में निर्दिष्ट अधिसूचना की अनुसूची में विनिर्दिष्ट अधिकार किसी अन्य व्यक्ति को अंतरित करने की शक्ति नहीं होगी।
- (5) उक्त सरकारी कंपनी, ऐसे निदेशों और शर्तों का, जो केन्द्रीय सरकार द्वारा, जब कभी आवश्यक हो, उक्त भूमि के विनिर्दिष्ट क्षेत्रों के लिए दिए जाएंगे, या अधिरोपित की जाएंगे, पालन करेगी।

[फा. सं. 43015/11/89-एल. एस. डब्ल्यू.]
नरेन्द्र भगत, निदेशक

ORDER

New Delhi, the 6th July, 1995

S.O. 2014.—Whereas on the publication of the notification of the Government of India in the Ministry of Coal S.O. 321(E) dated the 18th May, 1993, in the Gazette of India, Part-II, Section 3. Sub-section (ii) dated 18th May, 1993 issued under sub-section (i) of Section 9 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act), the lands and rights in or over such land described in the schedule appended to

the said notification (hereinafter referred to as the said lands) vested absolutely in the Central Government free from all encumbrances under sub-section (1) of Section 10 of the said Act.

And whereas the Central Government is satisfied that the Mahanadi Coalfields Limited, Sambalpur (Orissa) (hereinafter referred to as the Government Company) is willing to comply with such terms and conditions as the Central Government thinks fit to impose in this behalf.

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 11 of the said Act, the Central Government hereby directs that the said lands and rights so vested shall, with effect from the 18th May, 1993 instead of continuing to so vest in the Central Government, vest in the Government Company, subject to the following terms and conditions, namely :—

1. The Government company, shall reimburse the Central Government all payments made in respect of compensation, interest and damages etc., as determined under the provisions of the said Act.

2. A Tribunal shall be constituted for the purpose of determining the amounts payable to the Central Government by the company under condition 1 and all expenditure incurred in connection with any such Tribunal and persons appointed to assist the Tribunal shall be borne by the company, and, similarly, all expenditure incurred in respect of all legal proceedings like appeals etc. for or in connection with the rights, in or over the lands, so vesting, shall also be borne by the Government company.

3. The Government company shall indemnify the Central Government or its officials against any other expenditure that may be necessary in connection with any proceedings by or against the Central Government or its officials regarding the rights in or over the lands, so vesting.

4. The Company shall have no power to transfer the rights specified in the schedule to the notification referred to in paragraph-1 above, to any other person without the prior approval of the Central Government.

5. The Company shall abide by such directions and conditions as may be given or imposed by the Central Government for particular areas, of the said lands, as and when necessary.

[No. 43015/11/89-LSW]

N. BHAGAT Director

नई दिल्ली, 10 जुलाई, 1995

का.आ. 2015.—केन्द्रीय सरकार, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 3 द्वारा प्रदान शक्तियों का प्रयोग करते हुए, इससे अपाबद्ध अनुसूची के स्तंभ (4) में विनिर्दिष्ट प्रत्येक व्यक्ति को उक्त अधिनियम के ऐसे उपबंध के प्रयोजन के लिये जो महानदी कोलफील्ड्स लिमिटेड, सम्बलपुर (उड़ीसा) की अधिकारिता के भीतर आने वाले क्षेत्रों की बाबत उसके स्तंभ (2) में की तत्स्थानी प्रविष्टि में उनके नाम के नामों विनिर्दिष्ट हैं, सक्षम प्राधिकारी नियुक्त करती है।

अनुसूची

क्रम सं.	अधिनियम का उपबंध	समनुदेशन की प्रकृति (संक्षेप में)	सक्षम प्राधिकारी के रूप में नियुक्त व्यक्तियों के पदनाम और शासकीय पते
(1)	(2)	(3)	(4)
1.	धारा 4 की उपधारा (3)	पूर्वोक्षण सर्वेक्षण, खर्बाई, बोर आदि	अध्यक्ष और प्रबंध निदेशक, निदेशक, मुख्य गद्दा-प्रबंधक, महाप्रबंधक, अधीक्षण भूविज्ञानी, ज्येष्ठ भूविज्ञानी, भूविज्ञानी, उपबर्मा अधीक्षक, ज्येष्ठ सर्वेक्षण अधिकारी, सर्वेक्षण अधिकारी।
			महानदी कोलफील्ड्स लिमिटेड, आनंद विहार काम्प्लेक्स, डाकघर यु. सी. ई. बर्ना सम्बलपुर।

2. धारा 4 की उपधारा (3)	पूर्वक्षण, सर्वक्षण, खुदाई, बोर आदि	अध्यक्ष और प्रबंध निदेशक, भूविज्ञान और बर्मा प्रमुख, भूविज्ञान और बर्मा अपर प्रमुख, प्रादेशिक निदेशक भूविज्ञान, उपप्रमुख, अधीक्षण भू-विज्ञानी, उप-अधीक्षण, भूविज्ञानी, ज्येष्ठ भू-विज्ञानी, भूविज्ञानी, बर्मा अधीक्षक, ज्येष्ठ उपबर्मा अधीक्षक, सर्वक्षण अधिकारी। महानिदेशक, निदेशक, उप-महानिदेशक प्रबंध निदेशक, निदेशक, मुख्य भू-विज्ञानी, उप मुख्य भूविज्ञानी।	सेंट्रल माईन प्लानिंग एण्ड डिजाइन इंस्टीट्यूट लिमिटेड, रांची। भारतीय भू-वैज्ञानिक सर्वेक्षण, कलकत्ता। मिनरल एक्सप्लोरेशन कारपोरेशन लि०, नागपुर।
3. धारा 6	धारा 4 की उपधारा (3) के अधीन किये गये नुकसान के लिये प्रतिकर	अध्यक्ष और प्रबंध निदेशक, निदेशक, मुख्य महा-प्रबंधक, महाप्रबंधक, भू-विज्ञान और बर्मा अपर प्रमुख, राजस्व प्रमुख, संपदा प्रबंधक, उप प्रमुख (राजस्व), उप संपदा प्रबंधक, सहायक प्रमुख (राजस्व)/सहायक संपदा प्रबंधक।	महानदी कोलफील्ड्स लिमिटेड, आनंद विहार काम्प्लेक्स, डाकघर यू. सी. ई. बुर्ला, सम्बलपुर।
4. धारा 8 की उपधारा (2)	आक्षेप की सुनवाई	कोयला नियंत्रक	कोयला नियंत्रक, 1, काउंसिल हाउस स्ट्रीट, कलकत्ता।
5. धारा 12	भूमि का कब्जा लेने की शक्ति	अध्यक्ष और प्रबंध निदेशक, निदेशक, मुख्य महाप्रबंधक, महाप्रबंधक, राजस्व प्रमुख/संपदा प्रबंधक, उप प्रमुख (राजस्व)/उप संपदा प्रबंधक, सहायक प्रमुख (राजस्व)/सहायक संपदा प्रबंधक, ज्येष्ठ राजस्व अधिकारी/ज्येष्ठ संपदा अधिकारी, राजस्व अधिकारी/संपदा अधिकारी, सहायक राजस्व अधिकारी/सहायक संपदा अधिकारी।	महानदी कोलफील्ड्स लिमिटेड, आनंद विहार काम्प्लेक्स, डाकघर यू. सी. ई., बुर्ला, सम्बलपुर।
6. धारा 13 की उपधारा (6)	उस नुकसान के लिये प्रतिकर जो अधिनियम में उपबंधित नहीं है।	अध्यक्ष और प्रबंध निदेशक, निदेशक, मुख्य महाप्रबंधक, महाप्रबंधक, राजस्व प्रमुख/संपदा प्रबंधक, उप प्रमुख (राजस्व)/उप संपदा प्रबंधक, सहायक प्रमुख (राजस्व)/सहायक संपदा प्रबंधक, ज्येष्ठ राजस्व अधिकारी/ज्येष्ठ संपदा अधिकारी।	महानदी कोलफील्ड्स लि., आनंद विहार काम्प्लेक्स, डाकघर यू. सी. ई., बुर्ला, सम्बलपुर।
(1)	(2)	(3)	(4)
7. धारा 22	किसी सम्पत्ति में प्रवेश करने और उसका निरीक्षण करने की शक्ति।	अध्यक्ष और प्रबंधक निदेशक, निदेशक, मुख्य महाप्रबंधक, महाप्रबंधक, राजस्व प्रमुख/संपदा प्रबंधक, उप प्रमुख (राजस्व)/उप संपदा प्रबंधक, सहायक प्रमुख (राजस्व)/सहायक संपदा प्रबंधक, क्षेत्र योजना अधिकारी, ज्येष्ठ राजस्व अधिकारी/ज्येष्ठ संपदा अधिकारी, राजस्व अधिकारी/संपदा अधिकारी।	महानदी कोलफील्ड्स लिमिटेड, आनंद विहार काम्प्लेक्स, डाकघर यू. सी. ई., बुर्ला, सम्बलपुर।

[सं. 43022/4/94-एल.एस. डब्ल्यू.]

एन. भगत, निदेशक

New Delhi, the 10th July, 1995

S.O.....2015.—In exercise of the powers conferred by section 3 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government hereby appoint each of the persons specified in column 4 of the Schedule hereto annexed to be the competent authority for the purpose of such of the provision of the said Act as is specified against his name in the corresponding entry in column 2 thereof in respect of the areas falling within the jurisdiction of the Mahanadi Coalfields Limited, Sambalpur (Orissa).

SCHEDULE

S. No.	Provision of the Act.	Nature of assignment in brief	Designation and official address of the persons appointed as competent authority.
1	2	3	4
1.	Sub-section (3) of section 4	Prospecting Survey, dig, bore etc.	Chairman-cum-Managing Director, Directors, Chief General Managers, General Managers, Superintending Geologist, Senior Geologis Geologist, Deputy Drilling. Superintendent, Senior Survey Officer, Survey Officer.
2.	Sub-section (3) of section 4	Prospecting, Survey, dig, bore etc.	Chairman-cum-Managing director Chief of Geology and Drilling. Additional Chief of Geology and Drilling Regional Directors, Deputy Chief of Geology, Suprintending Geologist, Deputy Superintending Geologist, Senior Geologist, ,, Geologist, Drilling Suprintendents, Senior Deputy Drilling Superintendents Survey Officers, Director General, Deputy Director General, Directors Managing Director, Director, Chief Geologist, Deputy Chief Geologist.
3.	Section 6	Compensation for damage done under Sub-section 3, section 4	Chairman-cum-Managing Director, Directors, Chief General Managers, General Managers, Additinal Chief of Geology and Drilling. Chief of Revenue/Estate Manager, Deputy Chief (Revenue)/ Deputy Estate Manager, Assistant Chief (Revenue)/ Assistant Estate Manager.
4.	Sub-section (2) of of section 8	Hearing of objection	Coal Controller Coal Controller 1, Council House Street, Calcutta.

5. Section 12	Power to take possession of land	Chairman-cum-Managing Director, Directors, Chief General Managers, General Managers, Chief of Revenue/Estate Manager, Deputy Chief (Revenue)/ Deputy Estate Manager, Assistant Chief (Revenue)/ Assistant Estate Managers, Senior Revenue Officer/ Senior Estate Officers, Revenue Officer/Estate Officer, Assistant Revenue Officer/ Assistant Estate Officer.	Mahanadi Coalfields Limited, Anand Vihar Complex, Post Office UCE, Burla, Sambalpur.
6. Sub-section (6) of section 13	Compensation for damage not provided in the Act.	Chairman-cum-Managing Director Directors, Chief General Managers, General Managers, Chief of Revenue/Estate Manager, Deputy Chief (Revenue)/ Deputy Estate Manager, Assistant Chief (Revenue)/ Assistant Estate Manager, Senior Revenue Officer/ Senior Estate Officer.	Mahanadi Coalfields Limited, Anand Vihar Complex, Post Office, UCE, Burla, Sambalpur.
7. Section 22	Power to enter and inspect any property.	Chairman-cum-Managing Director, Directors, Chief General Managers, General Managers, Chief of Revenue/Estate Manager, Deputy Chief (Revenue)/ Deputy Estate Managers, Assistant Chief (Revenue)/ Assistant Estate Manager, Area Planning Officer, Senior Revenue Officer/ Senior Estate Officer, Revenue Officer/Estate Officer.	Mahanadi Coalfields Ltd., Anand Vihar Complex, Post Office UCE, Burla, Sambalpur.

[No. 43022/4/94—LSW]

N. BHAGAT, Director.

परमाणु ऊर्जा विभाग

सार्वजनिक सूचना

बंबई, 6 जून, 1995

का.भा. 2010.—भारत सरकार के परमाणु ऊर्जा विभाग द्वारा जारी किए गए दिनांक 15 मार्च, 1995 की अधिसूचना सं. एईए/27/1/95-ईश्वर, जिसे कानूनी आदेश सं. 212 ई के रूप में प्रकाशित किया गया था, की ओर ध्यान आकर्षित किया जाता है।

2. संबंधित अधिसूचना की अनुसूची में उल्लिखित एक अथवा एक से अधिक पदार्थों, नामतः निम्नलिखित पदार्थों का भारत से अन्य देशों को निर्यात करने के इच्छुक व्यक्तियों द्वारा निर्यात-लाइसेंस प्राप्त करना अपेक्षित है :

- यूरेनियम, उसके योगिक तथा यूरेनियम खनिज/अयस्क/सांद्र और यूरेनियम समुच्छिष्ट,
- थोरियम, उसके योगिक तथा मोनाजाइट सहित थोरियम खनिज/सांद्र,

3. जर्कोनियम, उसके मिश्रातु तथा यौगिक एवं जर्कोनियम युक्त खनिज/सांद्र
4. बोरिलियम, उसके यौगिक एवं बेरिल युक्त खनिज/सांद्र, लेकिन मेडिकल एक्स-रे मशीनों तथा गामा-रे मशीनों में प्रयुक्त होने वाले बोरिलियम विंडोज को छोड़कर,
5. लिथियम, उसके यौगिक तथा लिपि डोलाइट सहित उसके खनिज/सांद्र,
6. ड्यूटेरियम एवं उसके यौगिक,
7. प्लूटोनियम, एवं उसके यौगिक,
8. नेप्ट्यूनियम एवं उसके यौगिक,
9. कॉलम्बाइट एवं टेन्टालाइट
10. टाइटेनियम अयस्क एवं सांद्र (इलमेनाइट, रूटाइल, लौक्सीन),
11. न्यूक्लियर ग्रेड प्रेफाइट
12. ट्राइटियम एवं उसके यौगिक

3. उपर्युक्त पैरा-2 में उल्लिखित पदार्थों में से किसी भी पदार्थ के निर्यात हेतु लाइसेंस के लिए अनुज्ञापन प्राधिकारी, जिसके बारे में नीचे पैरा-4 में उल्लेख किया गया है, के पास आवेदन ऐसे प्रारूप में तथा ऐसी सूचना के साथ प्रस्तुत की जाएं जैसा कि वे विहित करें।

4. इस संबंध में भारत सरकार, परमाणु ऊर्जा विभाग ने संयुक्त सचिव, परमाणु ऊर्जा विभाग, अणुशक्ति भवन, छत्रपति शिवाजी महाराज मार्ग, बंबई-400039 को "अनुज्ञापन प्राधिकारी" नियुक्त किया है; देखें दिनांक 15 मार्च 1995 का आदेश सं. एईए 27/1/85-ईआर। इस संबंध में किसी भी जानकारी के लिए उनसे संपर्क किया जा सकता है।

5. यह सार्वजनिक सूचना लोकहित में जारी की जा रही है।

[सं एईए 27/1/95-ई आर 1428]

फु. जुथिका पाटणकर, अवर सचिव

DEPARTMENT OF ATOMIC ENERGY PUBLIC NOTICE

Bombay, the 6th June, 1995

S.O. 2016.—Attention is invited to Notification No. AEA 27/1/95-ER dated March 15, 1995, published as S.O. 212(E), issued by the Department of Atomic Energy of the Government of India.

2. A licence to export is required to be obtained by any person wishing to export out of India one or more of the substances listed in the Schedule to the referenced notification, namely the following :

1. Uranium, its compounds and minerals/ores/concentrates containing uranium including tailings containing uranium,

2. Thorium, its compounds and minerals/concentrates containing thorium including monazite,
3. Zirconium, its alloys and compounds and minerals concentrates including zircon,
4. Beryllium, its compounds and its minerals/concentrates including beryl but excluding Beryllium windows used for medical X-ray machines and gamma ray machines,
5. Lithium, its compounds and its minerals/concentrates including lipidolite,
6. Deuterium, and its compounds,
7. Plutonium, and its compounds,
8. Neptunium, and its compounds,
9. Columbite and Tantalite,
10. Titanium ores and concentrates (ilmenite, rutile, louscene),
11. Nuclear grade graphite,
12. Tritium, and its compounds.

3. Applications for a licence to export any of the substances listed in paragraph 2 above should be submitted in such format and with such information as the Licensing Authority, identified in para 4 below, may prescribe.

4. The Licensing Authority, appointed for this purpose by the Government of India, Department of Atomic Energy, is the Joint Secretary, Department of Atomic Energy, Anushakti Bhavan, CSM Marg, Bombay-400039, vide order referenced as : No. AEA/27/1/85-ER dated March 15, 1995, to whom should be addressed all enquiries in this regard.

5. This Public Notice has been issued in the public interest.

[No. AEA/27/1/95-ER[1428]

JUTHIKA PATANKAR, Under Secy.

स्वास्थ्य और परिवार कल्याण मंत्रालय

नई दिल्ली, 3 जुलाई, 1995

का.आ. 2017.—भारतीय आयुर्विज्ञान परिषद अधिनियम, 1956 (1956 का 102) की धारा 7 की उपधारा (4) के साथ पठित धारा 3 की उपधारा (1) के खण्ड (ख) के अनुसरण में, डा. (मेजर) डी. राजा, संकायाध्यक्ष, मद्रास मेडिकल कालेज, मद्रास को तमिलनाडु डा. एम. जी. आर. मेडिकल यूनिवर्सिटी मद्रास की सीनेट द्वारा डा. अन्नथासुब्रामनियम के स्थान पर 24-12-1994 से 24-2-1996 तक भारतीय आयुर्विज्ञान परिषद के सदस्य के रूप में निर्वाचित किया है

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 3 की उपधारा (1) के अनुसरण में, भारत सरकार के तत्कालीन स्वास्थ्य मंत्रालय की अधिसूचना संख्या का.आ. 138, तारीख 9 जनवरी, 1960 में निम्नलिखित और संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में "धारा 3 की उपधारा (1) के खण्ड (ख) के अधीन निर्वाचित" शीर्षक के नीचे क्रम संख्या 68 और उससे संबंधित प्रविष्टियों के स्थान पर निम्नलिखित क्रम संख्या और प्रविष्टियां रखी जाएंगी, अर्थात् :—

68 डा. मेजर डी. राजा, तमिलनाडु डा. एम.
संकायाध्यक्ष जी आर
मद्रास मेडिकल कालेज, मेडिकल यूनिवर्सिटी, मद्रास।
मद्रास।

[संख्या वी. 11013/14/94-एम. ई. (यू. जी.)]

एम. के. मिश्रा, डेस्क अधिकारी

MINISTRY OF HEALTH & FAMILY WELFARE

(Department of Health)

New Delhi, the 3rd July, 1995

S.O. 2017.—Whereas in pursuance of clause (b) of sub-section (1) of section 3, read with sub-section (4) of section 7, of the Indian Medical Council Act, 1956 (102 of 1956) Dr. (Major) D. Raja Dean, Madras Medical College, Madras has been elected by the Senate of the Tamil Nadu Dr. M.G.R. Medical University, Madras to be a member of the Medical Council of India vice Dr. G. Ananthasubramanian with effect from 28-12-94, for the remaining period up to 24-2-96.

Now, therefore in pursuance of sub-section (1) of section 3 of the said Act, the Central Government hereby makes the following further amendment in the notification of the Government of India in the then Ministry of Health number S.O. 138 dated 9th January, 1960, namely :—

In the said notification, under the heading "Elected under clause (b) of sub-section (1) of section 3" for serial number 60 and the entries relating thereto, the following serial number and entries shall be substituted, namely :—

"68. Dr. (Major) D. Raja,
Dean,
Madras Medical College,
Madras.
Tamil Nadu Dr. M. G. R.
Medical University,
Madras."

[No. V-11013/14/94-ME (UG)]

S. K. MISHRA, Desk Officer

नई दिल्ली, 10 जुलाई, 1995

का.आ. 2018.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप नियम (4) के अनुसरण में स्वास्थ्य और परिवार कल्याण मंत्रालय के अंतर्गत आने वाले निम्नलिखित कार्यालयों को, जिनके 80 प्रतिशत से अधिक कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है :—

1. क्षेत्रीय आयुर्वेद अनुसंधान, संस्थान जूनागढ़।
2. भारतीय काय चिकित्सा संस्थान, पटियाला।
3. औषध मानकीकरण अनुसंधान परियोजना, जामनगर।
4. क्षेत्रीय अनुसंधान केन्द्र (आयुर्वेद) झांसी।

[संख्या ई-11012/1/94-रा. भा. कार्या.]

मुनीला वमन्त, संयुक्त सचिव

New Delhi, the 10th July, 1995

S.O. 2018.—In pursuance of Sub-Rule (4) of Rule 10 of the Official Language (Use of official purposes of the union) Rule, 1976 the Central Government hereby notifies the following offices under the Ministry of Health & Family Welfare, 80 percent Staff Whereof have acquired working knowledge of Hindi :—

1. Regional Ayurveda Research Institute, Junagarh.
2. Indian Institute of Medicine, Patiala.
3. Drug Standardization Research Project, Jamnagar.
4. Regional Research Centre (Ayurveda), Jhansi.

[No. E-11012/1/94-OLI]

SUNILA BASANT, Jt. Secy.

कृषि मंत्रालय

(कृषि एवं सहकारिता विभाग)

नई दिल्ली, 11 जुलाई, 1995

का.आ. 2019.—केन्द्रीय सरकार बहु-राज्य सहकारी समिति अधिनियम, 1984 (1984 का 51) की धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा भारत सरकार की अधिसूचना सं. एल-11012/1/85 दिनांक 30 जून, 1995 का अधिक्रमण करते हुए एतद्वारा कृषि मंत्रालय (कृषि एवं सहकारिता विभाग) में संयुक्त सचिव श्री के. एम. चड्ढा को आगामी आदेशों तक केन्द्रीय पंजीयक सहकारी समिति के पद पर नियुक्त करती है।

[सं. एल-11012/1/85-एल. एंड एम.]

सी. एम. श्रीनिवासन, उप सचिव

MINISTRY OF AGRICULTURE

(Department of Agriculture & Cooperation)

New Delhi, the 11th July, 1995

S.O. 2019.—In exercise of the powers conferred by sub-section (1) of section 4 of the Multi-State Cooperative Societies Act, 1984 (51 of 1984) and in supersession of the Notification of the Government of India No. L-11012/1/85-L&M dated the 30th June, 1995, the Central Government hereby appoints Shri K. M. Chadha Joint Secretary to the Ministry of Agriculture, Department of Agriculture and Cooperation as the Central Registrar of Cooperative Societies, until further orders.

[No. L-11012/1/85-L&M]

C. S. SRINIVASAN, Dy. Secy.

जल-भूतल परिवहन मंत्रालय

(नौवहन पक्ष)

नई दिल्ली, 15 जून, 1995

का.आ. 2020—राष्ट्रीय नौवहन बोर्ड नियमावली, 1960 के नियम 3 के साथ पठित वाणिज्यिक पोत परिवहन अधिनियम, 1958 (1958 का 44) की धारा 4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्वारा भारत सरकार, जल-भूतल परिवहन मंत्रालय (नौवहन पक्ष) की अधिसूचना सं. का. आ. 65(अ) दिनांक 30-11-95 में निम्नलिखित संशोधन करती है, अर्थात् :—

- (i) उक्त अधिसूचना में क्रम सं. 2 से 01 तक की मौजूदा प्रविष्टियों को क्रमशः 8 से 17 तक पुनः क्रमांकित किया जाएगा,
- (ii) उक्त अधिसूचना में पुनः क्रमांकित क्रम सं. 8 से 17 में पहले निम्नलिखित क्रम सं. तथा उमरो संबंधित प्रविष्टि जोड़ी जाएगी, अर्थात् :—

- | | |
|----------------------------------|---|
| 2. श्री ई अहमद | } |
| 3. श्रीमती भावना चिखलिया | } |
| 4. श्री हरीश नारायण प्रभु झांटये | } |
| 5. श्री राजेश कुमार | } |
- लोक सभा

- 6 श्री ई. बालानन्दन राज्य सभा
 7. कुमारी सरोज खापर्डे
 [फा. सं. एस एस-18011/2/94-एस एल]
 मुंशी राम, अवर सचिव

5. श्री एस एन कक्कड़, अवर सचिव एवं वित्त
 सलाहकार,
 जल-भूतल परिवहन मंत्रालय।
 [फा. सं. एस एस-18011/2/94-एस एल]
 मुंशी राम, अवर सचिव

MINISTRY OF SURFACE TRANSPORT
 (Shipping Wing)

New Delhi, the 15th June, 1995

S. O. 2020.—In exercise of the powers conferred by Section 4 of the Merchant Shipping Act, 1958 (44 of 1958) read with Rule 3 of the National Shipping Board Rules, 1960 the Government hereby make the following amendments in the notification of Government of India Ministry of Surface Transport, (Shipping Wing) S.O. No 65 (E) dated 30-01-95, namely:—

- (i) In the said notification the existing entry at Sl. No. 2 to 11 shall be re-numbered as 8 to 17 respectively ;
 (ii) In the said notification before Sl. No.8 to 17 so numbered, the following serial number and entry relating thereto shall be inserted namely :—

2. Shri E Ahamed }
 3. Smt. Bhavana Chikhalia } Lok Sabha
 4. Shri Harish Narayan }
 Prabhu Zantye }

5. Shri Rajesh Kumar }
 6. Shri E Balanandan } Rajya Sabha
 7. Miss Saroj Khaparde }

[File No SS-18011/2/94-SL]
 MUNSHI RAM, Under Secy.

नई दिल्ली, 29 जून, 1995

का. आ. 2021:—राष्ट्रीय नौवहन मंडल नियमावली, 1960 के नियम 3 के साथ पठित वाणिज्यिक पोत परिवहन अधिनियम, 1958 (1958 का 44) की धारा 4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार, भारत सरकार, जल-भूतल परिवहन मंत्रालय (नौवहन पक्ष) की अधिसूचना सं. सा. आ. 65 (अ), दिनांक 30-1-1995 में निम्नलिखित संशोधन करती है, अर्थात्:—

- (i) उक्त अधिसूचना में, क्रम सं. 5 में दी गई वर्तमान प्रविष्टि को निम्नलिखित द्वारा प्रतिस्थापित किया जाएगा, अर्थात्:—

New Delhi, the 29th June, 1995

S.O. 2021.—In exercise of the powers conferred by Section 4 of the Merchant Shipping Act, 1958 (44 of 1958) read with Rule 3 of the National Shipping Board Rules, 1960, the Government hereby makes the following amendments in the notification of Government of India, Ministry of Surface Transport (Shipping Wing) S.O. No. 65(E) dated 30-1-1995 namely :—

- (i) In the said notification, the existing entry at S.No. 5 shall be substituted, namely :—

5. Shri S. N. Kakar, Additional Secretary & Financial Adviser, Ministry of Surface Transport.

[F. No. SS-18011/2/94-SL]
 MUNSHI RAM, Under Secy.

रेल मंत्रालय

(रेलवे बोर्ड)

नई दिल्ली, 5 जुलाई, 1995

का. आ. 2022:—सरकारी स्थान (अप्राधिकृत अधिभोगियों की बेदखली) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केंद्रीय सरकार एतद्वारा निम्नलिखित तालिका के कालम 1 में उल्लिखित अधिकारियों को, सरकार का राजपत्रित अधिकारी होने के नाते, उन्हें उपर्युक्त अधिनियम के प्रयोजनार्थ संपदा अधिकारी के रूप में नियुक्त करती है जो उक्त तालिका के कालम 2 के तदनु रूपी प्रविष्टि में विनिर्दिष्ट सरकारी स्थान के संदर्भ में उक्त अधिनियम के अंतर्गत अपने क्षेत्राधिकार की स्थानीय सीमाओं में प्रदत्त शक्तियों का प्रयोग करेंगे और संपदा अधिकारी को सौंपे गए कर्तव्यों का निष्पादन करेंगे।

तालिका

अधिकारी का पदनाम	सरकारी स्थानों के वर्ग और क्षेत्राधिकार की स्थानीय सीमाएं
(1)	(2)
उप मुख्य इंजीनियर, रेल कोच फैक्टरी, कपूरथला	रेल कोच फैक्टरी कपूरथला के प्रशासनिक नियंत्रण में आने वाले स्थान।

[फाइल सं. 82/डब्ल्यू. 2/14/4]
 एस.ए.ए. जैदी, सचिव, रेलवे बोर्ड

MINISTRY OF RAILWAYS

(Railway Board)

New Delhi, the 5th July, 1995

S.O. 2022.—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupation) Act, 1971 (40 of 1971), the Central Government hereby appoints the officer mentioned in column (1) of the Table below, being Gazetted Officer of the Government, to be estate officer for the purpose of the said Act, who shall exercise the powers conferred and perform the duties imposed on the Estate Officer by or under the said Act within the local limits of his jurisdiction in respect of the public premises specified in the corresponding entry in column (2) of the said Table.

TABLE

Designation of the Officer	Categories of public premises and local limits of jurisdiction
(1)	(2)
Deputy Chief Engineer Rail Coach Factory, Kapurthala.	Premises under the administrative control of the Rail Coach Factory, Kapurthala.

[File No 82/W-2/14/4]
S.A.A. Zaidi, Secy., Railway Board

सूचना और प्रसारण मंत्रालय

नई दिल्ली, 10 जुलाई, 1995

का.ग्रा. 2023:—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप नियम (4) के अनुसरण में दूरदर्शन महानिदेशालय (सूचना एवं प्रसारण मंत्रालय) के निम्नलिखित अधीनस्थ कार्यालयों को जिनके 80% से अधिक कर्मचारी-बृन्व के हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है :—

1. दूरदर्शन केन्द्र, आगरा ।
2. दूरदर्शन अनुरक्षण केन्द्र, भीलवाड़ा ।
3. उच्च शक्ति प्रेषित, संमूरी ।
4. दूरदर्शन अनुरक्षण केन्द्र, सागर ।

[संख्या ई-11011/1/93-हिन्दी]
संतोष सेनी, निदेशक (राजभाषा)

MINISTRY OF INFORMATION & BROADCASTING

New Delhi, the 10th July, 1995

S.O. 2023.—In pursuance of Sub-rule (4) of rule 10 of the Official Language (use for official purposes of the Union) Rules, 1976, the Central Government hereby notify the following offices of the Doordarshan (Ministry of Information & Broadcasting), the staff whereof more than 80 per cent have acquired the working knowledge of Hindi :—

1. Doordarshan Centre, Agra.
2. Doordarshan Maintenance Centre, Bhilwara.
3. Doordarshan Centre (HPT), Mansoori.
4. Doordarshan Maintenance Centre, Sagar.

[No. E-11011/1/93-Hindi]

SANTOSH SAINI, Director (O.L.)

भ्रम मंत्रालय

नई दिल्ली, 20 जून, 1995

का.ग्रा. 2024:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस.ई.सी.एल. के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 19-6-95 को प्राप्त हुआ था ।

[सं.एल.-22012/413/91- आई.आर. (सी-II)]

राजालाल, डेस्क अधिकारी

MINISTRY OF LABOUR

New Delhi, the 20th June, 1995

S.O. 2024.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Jabalpur as shown in the Annexure in the industrial dispute between the employers in relation to the management of S.E.C. Ltd. and their workmen, which was received by the Central Government on 19-6-95.

[No. L-22012/413/91-IR C-II]
RAJA LAL, Desk Officer

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR (MP).

CASE REF. NO. CGIT/LC(R)(54)/1992

BETWEEN

Shri Shyam Bihari C/o Shri R. J. Pande, Quarter No. 577, P.O. Bistrampur Colliery, District Surguja (MP).

AND

The General Manager, Bistrampur Area of S.E.C.L., P.O. Bistrampur Colliery, District Surguja (MP).

PRESIDED IN : By Shri Arvind Kumar Awasthy.

APPEARANCES :

For Workman : None.

For Management : Shri R. Mukhyopadhyaya.

INDUSTRY : Coal Mines DISTRICT : Surguja (MP).

AWARD

Dated, May 30, 1995

This is a reference made by the Central Government, Ministry of Labour, vide its Notification No. L-22012/413/91-IR(C-II) Dated 6-3-1992, for adjudication of the following industrial dispute :—

SCHEDULE

"Whether the action of General Manager, Baikunthpur Area of SECL (Presently Bistrampur Area of SECL) in summarily dismissing Shri Shyam Bihari S/o Sri R.T. Pandey, Cat. II Mazdoor from company's

service w.e.f. 19-1-85 is legal and justified? If not, to what relief the workman is entitled to?"

2. The workman has not filed the statement of claim in spite of the repeated notices sent to him since 30-3-92. Workman appeared on 8-7-92 and thereafter the workman has neither appeared nor filed the statement of claim.

3. Management rightly prayed to close the case in view of the continuous absence of the workman. The workman is not interested in pursuing the matter and as such no dispute award is passed. Parties to bear their own costs.

ARVIND KUMAR AWASTHY, Presiding Officer

नई दिल्ली, 20 जून, 1995

का.आ. 2025—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस.ई.सी. एल. के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 19-6-95 को प्राप्त हुआ था।

[सं.एल.-21012/36/8डी. III(बी) डी-IV(बी)]

राजा लाल, डेस्क अधिकारी

New Delhi, the 20th June, 1995

S.O. 2025.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Jabalpur as shown in the Annexure in the industrial dispute between the employers in relation to the management of S.E.C. Ltd. and their workmen, which was received by the Central Government on 19-6-95.

[No. L-21012/36/88-D-III(B)D-IV(B)]

RAJA LAL, Desk Officer

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR (MP)

CASE REF. No. CGIT/J.C(R)(52)/1989

BETWEEN

Shri Sushil Kumar Das C/o Kumar Das, Staff Nurse, Kanhan Area, Western Coalfields Hospital, Post Junnardeo, Distt. Chhindwara (MP)-480 551.

AND

The Dy. Chief Mining Engineer, Kurasia Group of Mines, Post Kurasia Colliery, District Surguja (MP)-497553

PRESIDED IN : By Shri Arvind Kumar Awasthy.

APPEARANCES :

For Workman : Shri S. K. Rao, Advocate.

For Management : Shri R. Menon, Advocate.

INDUSTRY : Banking DISTRICT : Chhindwara (MP).

AWARD

Dated : May 30, 1995

This is a reference made by the Central Government, Ministry of Labour, vide its Notification No. L-21012/36/88-D-3(B)/D-4(B) Dated 3-3-1987, for adjudication of the following industrial dispute :

SCHEDULE

"Whether the action of the management of Kurasia Colliery of SECL Ltd. P.O. Kurasia Colliery, Distt. Surguja, in dismissing their workman Shri Sushil Kumar Das, Dumper Operator (Excavt) Kurasia Col-

liery, vide order No. SECL/DCME/Expl/8073-81 dated 28-5-1984 is legal and justified? If not, to what relief the workman is entitled and from what date?"

2. Admitted facts of the case are that the workman, Shri Sushil Kumar Das, was working as Dumper Operator (Excavation) in Kurasia Colliery of S.E.C. Ltd.; that on 24-4-1983 the charge-sheet was issued to the workman alleging that on 19-4-83 in the IInd shift he left the duty without any information or permission of the superiors; that Shri D. Kumar, Dy. Personnel Manager, Kurasia Colliery, conducted the domestic enquiry and by his findings dated 17-12-1983 he held the workman guilty of the charges levelled against him and punishment of dismissal was passed vide order dated 28-5-1984.

3. Following are the charges levelled against the workman vide charge-sheet dated 24-4-1983 :—

"1. While you were on duty on 19-4-83 in IInd shift, you left the work place at 7.30 p.m. without any information or permission from your superiors.

2. That from the records, it has been observed that you are in the habit of leaving the work place without permission or sufficient reason and you have been served with letters by Department on various occasions such as :—

(a) Letter No : KC/Exc/Expl/884-85 dt. 2-2-83 by Sr. EE. (Exc) Kurasia.

(b) Letter no : KC@Exc/Expl/3149-52 dt. 3-6-82 by Sr. EE. (Exc) Kurasia.

(c) Letter No. : KC/Exc/Expl/4613 dt. 21/22-10-81 by Sr. E.E. (Exc) Kurasia.

(d) Memo no. nil dt. nil issued by Sr. E.E. (Exc) regarding your absence from duty on 9-10-79.

(e) Letter No. : KC/Exc/Expl/2199-2202 dt. 22/23-4-78 by Sr. E.E. (Exc) Kurasia.

(f) Letter No. : KC/Exc/Expl/5779-80 dt. 5/7-11-77 by Sr. E.E. (Exc) Kurasia.

If the above charges are proved, they would constitute acts subversive of discipline and also constitute misconduct under clause (p) "Leaving work without permission of sufficient reason". (f) "habitual or serious neglect of work" of the Certified Standing Orders and even otherwise considering what is misconduct has to be reasonably construed."

4. The case of the management is that the workman is a habitual absentee and on 19-4-83 at about 7 p.m. when the workman was on duty in second shift he left the place without informing his superiors. It is further stated that on 1-8-83 he tilted the dumper No. D-1618 near the culvert over Nallah and he was not found on duty; that the workman fully participated in the departmental enquiry conducted by Shri D. Kumar; that the Enquiry Officer has held that the workman was guilty of the misconduct and that he was in the habit of leaving the place of work without permission and the following letters of warning was issued to him :

(a) Letter No. KC/Exc/Expl. 1884-85 dated 2-2-83.

(b) Letter No. KC/Exc/Expl. 3149 dt. 3-6-82.

(c) Letter No. KC/Exc/Expl. 4613 dt. 21/22-10-81.

(d) Memo No. Nil dt. 10-9-89 issued by Sr. Exc. Engr. (Exc) Kurasia Colliery regarding absence from duty on 9-10-79 and also for giving training to an unauthorised person.

(e) Letter No. KC/Exc/Expl/2199-2202 dt. 22/23-4-78.

(f) Letter No. KC/Exc/Expl./5779-80 dt. 5/7-11-77.

5. The case of the workman is that he was never absent from the duty. The higher authorities enigmatically disposed of his case and charge-sheet on false ground was issued to him. It is alleged that the service condition of the workman are not governed by the Standing Orders of the N.C.D.C. and that in the absence of the Standing Orders the action of the management is unjust and improper. It is further alleged that the Enquiry Officer has not afforded the opportunity to the

workman to defend his case and the sufficient opportunity to produce defence witnesses was not given to the workman. The workman has alleged that the punishment is disproportionate to the misconduct and the workman is entitled for the reinstatement with full back wages.

6. The legal representative of the workman has filed an application alleging that the workman, Sushil Kumar, has expired on 18th April, 1994 and his widow be allowed to continue the reference. Application is supported by the affidavit and as such it is allowed.

7. Following are the issues:—

ISSUES

1. Whether the enquiry is proper and legal ?
2. Whether the management is entitled to lead evidence before this Tribunal ?
3. Whether the charges of misconduct are proved on the facts of the case ?
4. Whether the punishment awarded is proper and legal ?
5. Relief and costs.

8. Issue Nos. 1 & 2.—The domestic enquiry is held fair and proper vide order dated 8th November, 1994 and as such Issue Nos. 1 & 2 are already answered in favour of the management.

9. Issue No. 3.—Management has testified to the fact that on the relevant time the workman left the place of duty without prior permission. The management has examined witnesses to prove several letters of warning were issued to the workman before the date of incident. The finding of the learned Enquiry Officer holding the workman guilty of the misconduct of remaining absent and of habitual absenteeism is in accordance with the evidence produced during the domestic enquiry. Consequently, Issue No. 3 is answered the management.

10. Issue No. 4.—The contention of the workman is that there is no Standing Orders and Standing Orders of the National Coal Development Corporation are not applicable to the workman and as such the enquiry is bad in law. It is not in dispute that the workman was working with the N.C.D.C. which was a Government of India Undertaking and the S.E.C. Ltd. under the provisions of the Coal Mines Nationalisation Act has taken over the services of the workman and that the management has laid down the condition that the terms of the employment will be the same as they were in N.C.D.C. Consequently, Standing Orders of the N.C.D.C. are applicable to the workman. However, as per Section 14 of the Coal Mines Nationalisation Act the workman is subject to Standing Orders of the N.C.D.C. Apart from this the habitual absenteeism is a misconduct and as such in the absence of the Standing Orders the workman is liable to be charge-sheeted about the misconduct of absenteeism.

11. The workman is guilty of remaining absent on 19th April, 1983 from the duty and also he was found in the habit of leaving the work place without permission for which several warning letters were issued. In this backdrop, the punishment of dismissal awarded by the management is just and proper.

12. From the application filed by the widow of the workman, it is clear that the workman has survived by the young boy of 14 years of age who is handicapped. Looking to the misconduct of the workman, it is observed on compassionate ground that the management should make an attempt to provide the job as per rules to the son of the deceased workman viz. Nikhil Kumar Das.

13. Issue No. 5.—Dismissal of the workman is held just and proper. Reference is answered in favour of the management. Parties to bear their own costs.

ARVIND KUMAR AWASTHY, Presiding Officer

नई दिल्ली, 20 जून, 1995

का.आ. 2026.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एम. ई.सी.एन. के प्रवन्धन के संबद्ध निपोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 19-6-95 को प्राप्त हुआ था।

[सं.एल.-22012/244/91-आई.आर. (सी-II)]

राजा लाल, डेस्क अधिकारी

New Delhi, the 20th June, 1995

S.O. 2026.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Jabalpur as shown in the Annexure in the industrial dispute between the employers in relation to the management of S.E.C. Ltd. and their workmen, which was received by the Central Government on the 19th June, 1995.

[No. L-22012/244/91-IR(C-II)]

RAJA LAL, Desk Officer

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR (MP)

Case Ref. No. CGIT/LC(R)(178)/1991

BETWEEN

Shri Ramkaran represented through the Secretary, National Colliery Workers Federation, Post Kotma Colliery, District Shahdol (MP).

AND

The Dy. General Manager, Kotma, Sub-Area, Post Kotma Colliery, District Shahdol (MP).

PRESIDED IN: By Shri Arvind Kumar Awasthy.

APPEARANCES:

For workmen—Shri Rohit Arya, Advocate.

For management—Shri R. Menon, Advocate.

INDUSTRY : Coal Mines. DISTRICT : Shahdol (MP)

AWARD

Dated : May 30, 1995

This is a reference made by the Central Government, Ministry of Labour, vide its Notification No. L-22012/244/91-IR (Coal-II) dated 7th October, 1991, for adjudication of the following industrial dispute:—

SCHEDULE

"Whether the action of the management of Kotma colliery of Jamua and Kotma Area of SECL in dismissing from services of their workman Shri Ramkaran, Loader, T. No. 1306, Kotma Colliery is legal and justified? If not, to what relief the workman is entitled?"

2. Admitted facts of the case are that the workman, Ramkaran, was working as a Loader in Kotma Colliery and that the workman was the Secretary of the National Colliery Workers Federation.

3. The case of the management is that the charge-sheet was issued to the workman on the ground of his unauthorised absence and the services of the workman were terminated vide the impugned order dated 10th May, 1990.

4. The case of the workman is that he fell sick during the relevant period and his absence was not wilful.

5. Parties have filed the settlement. The workman is provided fresh employment. The Settlement is fair and proper. Following are the terms of Settlement:—

TERMS OF SETTLEMENT

1. That Shri Ramkaran S/o Ramsahai Ex-loader shall be given fresh employment in his substantive post of Piece-Rated Loader with Initial basic pay.
2. That he will have no claim whatsoever for the idle period, i.e., from the date of his termination to the date of his re-instatement and this period will be treated as No work no pay.
3. That his past service will be counted for the purpose of calculation of gratuity only.
4. That he will not reopen, the case in future in any forum and this will be treated as full and final settlement.
5. That his reinstatement will be subject to his being found medically fit by the M.S.I./C, RHKC.
6. That he will withdraw the dispute/claim, pending at any Court of law unconditionally.

6. In view of the aforesaid settlement, no dispute award is passed. No order as to costs.

ARVIND KUMAR AWASTHY, Presiding Officer.

नई दिल्ली, 20 जून, 1995

का.आ. 2027 — औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस. ई. सी. एल. के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 19-6-95 को प्राप्त हुआ था।

[सं. एल.—22012/218/92-आई. आर. (सी-II)]

राजा लाल, डेस्क अधिकारी

New Delhi, the 20th June, 1995

S.O. 2027.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Jabalpur as shown in the Annexure in the industrial dispute between the employers in relation to the management of S.E.C. Ltd. and their workmen, which was received by the Central Government on 19th June, 1995.

[No. L-22012/218/92-IR (C-II)]

RAJA LAL, Desk Officer

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR (MP)

CASE REF. NO. CGIT/LC(R)(222)/1992

BETWEEN

Shri Ramcharan, represented through the Secretary,
N. P. Koyal Shramik Sangh (CITU) Sohagpur Area,
P.O. Dhanpuri, District Shahdol (MP).

AND

The Sub-Area Manager, Burhar Sub-Area, P.O. Dhanpuri, District Shahdol (MP).

PRESIDED IN : By Shri Arvind Kumar Awasthy.

APPEARANCES :

For Workman—None.

For Management—Shri L. B. Singh.

INDUSTRY : Coal Mines. DISTRICT : Shahdol (MP).

AWARD

Dated : May 30, 1995

This is a reference made by the Central Government, Ministry of Labour, vide its Notification No. L-22012/218/92-IR(C-II) dated 29th October, 1992, for adjudication of the following industrial dispute:—

SCHEDULE

“Whether the action of Sub-Area Manager, Burhar Sub-Area of Sohagpur Area of S.E.C. Ltd., in retiring Shri Ramcharan, Slipman, Dhanpuri U/G Mines w.e.f. 1st July, 1989 is legal and justified? If not, to what relief is the workman entitled to?”

2. The workman remained absent in spite of repeated notice sent on 5th November, 1992 and thereafter. Workman has not submitted the statement of claim. Management has prayed to close the reference and pass no dispute award because, according to the management, the workman is not interested to pursue the matter.

3. In the aforesaid circumstances, no dispute award is hereby passed. Parties to bear their own costs.

ARVIND KUMAR AWASTHY, Presiding Officer

नई दिल्ली, 20 जून, 1995

का.आ. 2028.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी. बी. एम. बी. के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, चण्डीगढ़ के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 19-6-95 को प्राप्त हुआ था।

[सं. एल.—23012/6/94-आई. आर. (सी-II)]

राजा लाल, डेस्क अधिकारी

New Delhi, the 20th June, 1995

S.O. 2028.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Chandigarh as shown in the Annexure in the industrial dispute between the employers in relation to the management of B.B.M.B. and their workmen, which was received by the Central Government on 19-6-95.

[No. L-23012/6/94-IR(C-II)]

RAJA LAL, Desk Officer

BEFORE SHRI M. S. SULLAR, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT, CHANDIGARH

Case No. I.D. 7/95

Rajinder Singh Vs. BBMB
For the Workman : R. K. Singh.
For the management : N. D. Kalra.

AWARD

Dated, the 7th June, 1995

In the wake of industrial dispute raise the workman u/s 10 of the I.D. Act, 1947, hereinafter to be referred to as

the Act, the Central Government being the appropriate govt. vide No. L-23012/6/94-IR-C-II dated 4-1-1995, has referred the following dispute to this Tribunal for adjudication :

"Whether retrenchment of the workman is void for less payment of retrenchment compensation? If so, to what relief, the workman is entitled to?"

2. During the pendency of the reference petition, the parties have entered into amicable settlement. The rep. appearing on behalf of the management has made the statement that the management is ready to give fresh appointment on regular basis a chowkidar/mali to the petitioner, if he forego his claim of back wages or any other benefits of his previous service. The offer has been accepted by the petitioner and he has made the statement that he will not claim any back wages or other benefits of his previous service, if fresh appointment on regular basis as showkidar/mali is given to him.

It is conceded position that the management has already given the fresh appointment to the petitioner on regular basis. Faced with the situation, the rep. of the petitioner has made the following statement :

"The petitioner has been given the fresh appointment. The petitioner does not want to pursue with the present reference. The same may be dismissed as withdrawn."

In this view of the matter and in view of the amicable settlement between the parties and their statements, since no dispute remains to be resolved so reference petition is dismissed as withdrawn. Appropriate Government be informed. Dated : 7-6-95.

M. S. SULLAR, Presiding Officer
नई दिल्ली, 20 जून, 1995

का.आ. 2029.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ई. सी. एल. के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कलकत्ता के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 19-6-95 को प्राप्त हुआ था।

[सं. एल-19012/76/85-डी (बी)]

राजा लाल, डेस्क अधिकारी

New Delhi, the 20th June, 1995

S.O. 2029.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Calcutta as shown in the Annexure in the industrial dispute between the employers in relation to the management of E.C. Ltd. and their workmen, which was received by the Central Government on the 19-6-95.

[No. L-19012/76/85-D.IV(B)]

RAJA LAL, Desk Officer

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
AT CALCUTTA

Reference No. 55 of 1986

PARTIES :

Employers in relation to the management of Girmint Colliery of M/s. E.C. Ltd.

AND

Their Workmen.

PRESENT :

Mr. Justice K. C. Jagadeb Roy, Presiding Officer.

APPEARANCES :

On behalf of Management : Mr. P. Banerjee, Advocate.

On behalf of Workmen : None.

STATE : West Bengal.

INDUSTRY : Coal.

AWARD

By Order No. L-19012(76)/85-D.IV(B) dated 4th July, 1986
Central Government in exercise of its power under Section

10(1)(d) and sub-section (2A) of the Industrial Disputes Act, 1947 has referred the following dispute to this Tribunal for adjudication :

"Whether the action of the Agent, Girmint Colliery of M/s. Eastern Coalfields Limited, P.O. Charanpur, Distt. Burdwan, in altering the year of birth of Shri Jethan Nunia from 1930 to 1926 is justified? If not, to what relief the workman concerned is entitled?"

2. In the order of reference the General Secretary, Ningha Colliery Mazdoor Union was noticed. As per order dated 1-4-1992 in the case, the notice had been made sufficient on the workmen and even though the President of the Union Mr. Gupta had appeared on 18-11-1992, no written statement was filed on behalf of the Union. In the written statement filed by the Management, they have denied the allegation of the workmen. No evidence is led from either side and no document is proved from either side in support or otherwise of the contention. Though the case has been adjourned from time to time, the workmen took no steps to appear and substantiate his case that his date of birth is in the year 1930 and not 1926.

3. It is a reference proceeding. The workmen have given up their claim and do not press their demand before the Tribunal by leading evidence in support of their demand. It is not possible for the Tribunal to adjudicate upon the demand without any evidence on record. I do not also find any materials to hold that the demands were unfairly given up. I accordingly pass a 'No Dispute' Award in this case.

The reference is disposed of accordingly.

Dated, Calcutta,

The 18th May, 1995.

K. C. JAGADEB ROY, Presiding Officer

नई दिल्ली, 23 जून, 1995

का.आ. 2030.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस. सी. एल. के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण हैदराबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-6-95 को प्राप्त हुआ था।

[सं. एल.-22012/57/92आई. आर. (सी-II)]

राजा लाल, डेस्क अधिकारी

New Delhi, the 23rd June, 1995

S.O. 2030.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Hyderabad as shown in the Annexure in the industrial dispute between the employers in relation to the management of S.C.C. Ltd. and their workmen, which was received by the Central Government on 21-6-1995.

[No. L-22012/57/92-IR (C-II)]

RAJA LAL, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL-I AT
HYDERABAD

PRESENT :

Sri A. Hanumanthu, M.A., LL.B., Industrial Tribunal-I.

Dated, 7th day of April, 1995

Industrial Dispute No. 63 of 1992

BETWEEN

Singareni Coal Mines Karmika Sangh

(BMS) Reg. No. E-121, rep. by its

General Secretary, Sri Raji Reddy,
C.C.C. Colony, Narsapur, Adilabad Dist.

Petitioner.

AND

The General Manager, Singareni Collieries
Company, Srirampur, Adilabad District

Respondent.

APPEARANCES :

M/s. G. Bikshapathi, G. Vidyasagar and others, Advocates—for the Petitioner.

M/s. K. Srinivasa Murthy, G. Sudha, Advocates—for Respondent.

AWARD

This is a reference under Section 10(1)(d) and (2-A) of the Industrial Disputes Act, 1947 (hereinafter called as the Act) made by the Government of India, Ministry of Labour, by its Order No. L-22012/57/92-IR (C-II) dated 4-9-1992 for adjudication of the dispute annexed to the schedule which reads as follows :—

“Whether the action of the management of M/s. S.C.C.C. Ltd., Kothagudem, in not preponing the date of promotion of S/Sri N. Venkata Rao, G. Raja Rao and G. Ramlinga Reddy, Overmen, RK 7 at par with Sri T. Rajender, Overmen, GDK 8 who has passed the Overman Examination along with them and promoted w.e.f. 4-4-84 is legal and justified ? If not, to what relief the workmen are entitled to ?”

This reference has been registered as Industrial Dispute No. 63 of 1992. The Petitioner and the Respondent are being represented by their Counsel.

2. On behalf of the Petitioner-Union a claim statement is filed to the following effect :

The Petitioner-Union is registered under Trade Union Act. The workmen V. Venkat Rao, G. Raja Rao and G. Ramlinga Reddy working as Overmen are members of the Petitioner-Union. The workman N. Venkat Rao was originally appointed as Survey Mazdoor in 1975. Subsequently he was promoted as Shot-Firer, Ex. Mining Sirdar. The workman G. Raja Rao was originally appointed as Badli filler on 7-6-1973 and he was promoted as Mining Sirdar on 12-5-1977. The workman G. Ramlinga Reddy was appointed as temporary Tunnel Mazdoor on 9-5-1976 and he was promoted as Mining Sirdar on 20-1-1981. For promotion to the post of Overman, Shot-Firers, Mining Sirdars are considered subject to passing the Overmen Examination. As per the Rules, promotion has to be given to them from the date of passing the said Overman Examination. The workmen Venkata Rao and Raja Rao passed the Overmen Certificate of competency examination on 18-9-1982 while workmen G. Ramlinga Reddy passed the said test on 21-9-1983. Consequent of their passing the said examination, they are entitled for promotion as Overmen. They were given authorisation by the concerned Mine Authority to work as Overmen w.e.f. 2-9-1985. All the three of them were promoted as Overmen w.e.f. 15-9-1986. T. Rajender and A. Kanakiah who are juniors to the said three workmen were promoted as Overmen w.e.f. 4-4-1984 and 1-1-1985 respectively. They were not authorised to work as Overmen before their promotion. The three workmen submitted representation to the Respondent-Management alleging discriminate treatment in the matter of promotion as Overmen. But the Management issued a letter through Grievance Cell on 19-9-1989 stating that their complaint is being enquired into, but there is no positive response from the Management. The Petitioner-Union espoused the cause of the said three workers and

made a representation to the Assistant Labour Commissioner (Central) on 29-7-1991. There upon the matter was admitted for conciliation and during the conciliation, the Management has accepted to grant promotion with retrospective effect keeping in view the Memorandum of Settlement dated 22-3-1990. The Management further stated that the Committee has already ceased of the matter and the Report submitted by the Committee was under examination and that a decision will be taken soon. But so far no decision was communicated to the Petitioner Union. Under those circumstances, the Assistant Commissioner of Labour sent his failure report dated 31-3-1991 to the Government of India and it terminated in the present reference. Denying promotion to these workmen on par with T. Rajender and A. Kanakiah who are junior to them is illegal and unjustified. The post of Overmen is a Corporate level post and therefore the seniority has to be considered in the lower post at Corporate level and promotion has to be effected. These workmen are entitled for promotion on par with T. Rajender w.e.f. 4-4-1984. In fact in a similar industrial dispute raised by the workman, this Hon'ble Tribunal directed that Mining Sirdars should be given promotion as Overman from the date of passing of examination and not by the date of receipt of certificate by the Mines Authorities. The next promotion from Overman lies to Head Overman Grade A on completion of 10 years of service as Overman. The said promotion was purely on seniority basis and therefore these workmen would also deny promotion as Head Overman Grade 'A' if their seniority is not counted from 4-4-1984 as Overmen. Hence it is prayed that this Tribunal may be pleased to pass award directing the management to promote these three workmen Venkat Rao, Raja Rao and Ramalinga Reddy as Overmen with retrospective effect from 4-4-1984 with consequential benefits.

3. On behalf of the Management a counter has been filed to the following effect :

The reference as made by the Government of India is bad in law for the reasons that the qualifications for promotion, man power requirement, identification of vacancies, suitability of personnel and the date of promotions and posting etc. are purely managerial functions and that they cannot be raised by the Union as a demand. As on 4-4-1984 there were no vacancies for the post of Overmen in the Area where the workmen in dispute were working and they could not be promoted as Overmen at that time. The claim made by the Union is a stale claim and if it is allowed it will upset the seniority and promotions already effected to the parties concerned. Moreover the parties likely to be affected are not made parties to this reference. The workman Sri V. Venkat Rao was originally appointed as temporary Tunnel Mazdoor on 20-4-1975 and he was promoted as Shot Firer 'C' with effect from 20-1-1982. The workman G. Raja Rao was originally appointed as temporary Tunnel Mazdoor on 16-5-1974 and he was promoted as Shot Firer 'C' with effect from 1-10-1980. The workman G. Ramlinga Reddy was also appointed as Temporary Tunnel Mazdoor on 9-5-1976 and he was promoted as Shot Firer-D from 1-12-1981 and later as Shot-Firer-C w.e.f. 20-1-1982. The post of Overmen is a statutory post. The promotion can be given from a lower cadre statutory post i.e. if an employee has obtained certificate required for authorising him as Overmen under the Coal Mines Regulations. Thus, from any lower grade post like Mining Sirdar, Shot-Firer etc., one can directly get promotion to the post of Overman if they also possess the valid Gas Testing and First Aid Certificates, which are the qualifications required for a candidate to be promoted to the post of Overman. The claim of these workmen that they should have been promoted as Overmen from the date of passing their examination is not tenable. By passing the said examination, they have become eligible candidates. They

could be promoted in 1986 when vacancies arose. These workmen were authorised to act as Overmen in the leave and absentee vacancies and they were also paid acting allowance. They were promoted on 15-9-1986 when the vacancies arose. The promotion to the post of Overmen was on areawise basis and not on companywise. The workmen under this reference belong to Srirampur Area. While workmen Kanakiah and Rajender belong to Godavari-khani Area. Hence the question of comparing with them and seeking promotion on par with them does not arise. There were vacancies of Overmen when Kanakiah and Rajender became eligible and as such they were promoted as Overmen in Godavari-khani Area. The Petitioner-Union is fully aware of this fact and has coloured the issue as if the juniors were promoted leaving the seniors. The question of treating some candidates with those of a different area does not arise. It is true that in Settlement dated 22-3-1990 entered under Section 12(3) of the I. D. Act, in principle it has been agreed to consider the date of passing the examination as the basis for effecting the promotions. But the said Settlement is not retrospective in nature. It applies prospectively and the same has been informed to the Conciliation Officer. It has been misconstrued by the Petitioner Union and raised the present dispute alleging that the Management having agreed in the settlement in principle to consider the date of promotion is not implementing it. The said allegation is incorrect. To avoid disparity in future in principle the Management has agreed to take the date of passing the examination as the basis for effecting the promotions to statutory post. It is settled principle of law that by officiating in a higher post the employees will not get a right of promotion, seniority or automatic promotion to that higher post. Mere officiating in a higher post is never treated as promoting to that post. For framing a promotion policy is a managerial function. For a higher post what type of qualifications and attributes are required for all functions of management. One may have a qualification and eligibility for that post, but he may not be suitable for taking up higher responsibility. Therefore a demand cannot be made for automatic promotion on passing the examination. As per the then existing organisation structure during the period 1982-85 the Respondent Company was divided into three Regions namely Kothagudem, Bellampally and Ramagundam each headed by an Executive Director, who is responsible for extraction of coal, men and materials and directly responsible to the Chief Executive Director, stationed at Kothagudem. The workmen employed in the region were governed by the regional seniority as per the organisational structure and policy of the Company existing at that time. The Executive Directors have powers to effect promotion and fill the identified posts upto Technical and Supervisory Grade 'B' including the post of Overman. Accordingly, depending on the availability of vacancies, eligible candidates were promoted as Overmen based on regionwise seniority. The promotion of Rajender in the year 1984 was based on his seniority in the Ramagundam Region against the identified vacancies of Overmen. The workmen under the reference working in Srirampur region are covered by the regional seniority of Bellampally region, and they could not be promoted for want of identified vacancies. At this belated stage, they cannot be compared like this for promotion given effect in other regions. For administrative convenience the Respondent-Management was reorganised in the later half of 1985, according to which the Company have been divided into 10 areas namely Kothagudem, Yellandu, Manuguru, Ramagundam-I, Ramagundam-II, Ramagundam (Projects), Bellampally, Mandamari, Ramakrishnam and Sreerampur, each area headed by a General Manager. Consequent on this re-organisation promotions of Overmen are dealt with at Corporate level from 1986 onwards. As such the workmen

under this reference cannot compare their case with that of Rajender and claim seniority over him. In fact when the earlier promotion policy at Regional level was in existence, the workmen never challenged the promotion of Sri Rajender at Srirampur. The workmen cannot claim for promotion as a matter of right just by possessing the requisite qualification. It is a prerogative of the Management to effect promotions by taking various factors like availability of vacancies, eligibility, seniority etc. into consideration. If really the workmen under this reference were effected they ought to have raised the dispute in 1984 but they have not done so. By the time the dispute has been referred for adjudication so many years have been added to the seniority list and if any relief is given to the workmen under this dispute, the entire seniority list will get upset and there will be so many number of affected parties. The workmen who have slept over their alleged right for so many years, are not entitled for any relief. There are no merits in the Petitioner's case and the claim of the petitioner may be rejected and the workmen are not entitled for any relief under this reference.

4. On behalf of the Petitioner Union WW-1 was examined and Exs. W-1 to W-16 are marked. The workman N. Venkat Rao got himself examined as WW-1 and he deposed to the averments in the claim statement. On behalf of that Respondent Management MW-1 is examined and Exs. M-1 to M-3 are marked. G. Raja working as Personnel Manager in the Respondent-Management is examined as MW-1 and he deposed to the averments in the counter. The details of Exs. W-1 to W-16 and M-1 to M-3 are appended to this Award.

5. The points that arise for consideration are :

(1) Whether the action of the Respondent-Management in not preponing the date of Promotion to the workmen N. Venkat Rao, G. Raja Rao and G. Ramlinga Reddy, Overmen on par with the workman T. Rajender, Overman GDK 8 who has passed the Overman Examination along with them and promoted w.e.f. 4-4-84 is legal and justified ?

(2) To what relief the workmen are entitled ?

6. Point (1).—The admitted facts as revealed from the evidence on record are as follows :

The workmen N. Venkat Rao was originally appointed as Survey Mazdoor in 1975 and he was promoted as Shot-firer 'C' in 1982. The workman G. Raja Rao was appointed as Badli Filler in 1973 and promoted as Mining Sirdar in 1977. The workman G. Ramlinga Reddy was appointed as temporary Tunnel Mazdoor in 1976 and he was promoted as Mining Sirdar in 1981. The workman N. Venkat Rao and G. Raja Rao have been working in Srirampur Area in Bellampally Region and they passed the Overman examination on 18-9-1982. The workman G. Ramlinga Reddy also is working in Srirampur Area in Bellampally Region and he passed the Overmen Examination on 21-9-1983. All the three of them were given authorisation to act as Overmen w.e.f. 2-9-1985 and subsequently they were promoted as Overmen w.e.f. 15-9-1986. Exs. W-1, W-8 and W-11 are the xerox copies of the Certificates to the effect that the workmen N. Venkat Rao, G. Raja Rao and G. Ramlinga Reddy passed the Overmen examination on 18-9-1982. Exs. W-2, W-9 and W-12 are the xerox copies of the letters of authorisation issued to the said three workmen to act as Overmen w.e.f. 2-9-1985. Exs. W-3, W-10 and W-13 are the xerox copies of the individual orders served on the said three workmen to the effect that they have been promoted as Overmen w.e.f. 15-9-1986. Ex. M-3 is the office order dated 15-9-1986 of the Respondent-Company promoting the said three workmen along with five others, as Overmen. It is also admitted that one T. Rajender and A. Kanakiah working in Godavari-khani area in Ramagundam Division passed the

Overman Examination on 18-9-1982 and 24-9-1983 respectively and they were promoted as Overmen w.e.f. 4-4-1984 and 1-1-1985 respectively. It is also admitted that there was a settlement between the Management of the Respondent and its worker's Union under Section 12(3) of the I. D. Act, 1947 on 22-3-1990. Ex. M-1 is the xerox copy of the said Settlement. Ex. W-4 is the certificate showing T. Rajender passed the Overman Examination on 18-9-1982. Exs. W-5 and W-15 are the xerox copies of the orders promoting T. Rajender and A. Kanakaiah as Overmen w.e.f. 4-4-1984 and 1-1-1985 respectively. It is also admitted that T. Rajender and A. Kanakaiah were appointed as workmen in the Respondent-Management subsequent to the appointment of the workmen, N. Venkat Rao, G. Raja Rao and G. Ramlinga Reddy but they were appointed in different areas and different regions as stated earlier.

7. The case of the Petitioner Union representing the workmen N. Venkat Rao, G. Raja Rao and G. Ramlinga Reddy is two fold. Firstly, under the Settlement dated 22-3-1990 (Ex. M-1) the Management agreed to consider the date of passing the respective competency certificate examination to be the basis for promotion and therefore, these three workmen under this reference who have passed Overman Examination on 18-9-1982 and 21-9-1983 are entitled for promotion from those dates. Secondly T. Rajender and A. Kanakaiah who are juniors to these three workmen were promoted as Overmen on 4-4-1984 and 1-1-1985 respectively and these workmen are also entitled for promotion w.e.f. 4-4-1984 on par with their junior T. Rajender and that the seniority of these three workmen may be counted w.e.f. 4-4-1984 for future promotion as Head Overman.

8. As regards the first contention, the learned counsel for the Respondent-Management submits that the Settlement dated 22-3-1990 is only prospective but not retrospective and therefore the workmen under this reference are not entitled for promotion as Overman from the date of their passing of the competency certificate examination i.e. Overman Examination. Clause 4.4 of the Settlement Deed (Ex. M-1) reads as follows :

"The Management agrees in principle to consider the date of passing of respective Competency Certificate examination to be the basis, when promotions are effected. The modalities of promotion area-wise/region-wise/companywise will be evolved to have a uniform procedure for filling up of all the vacancies of Shotfirer, Mining Sirdar and Overman to avoid disparity in different areas in the Company. This uniform procedure will be formulated by 31-5-1990. While formulating the uniform procedure, the question of reviewing the earlier promotions for seniority will also be taken into consideration.

In the meanwhile, those who are authorised to act in higher capacity will be paid allowances as per the officiating rules."

Under this Clause, it is no doubt true that the Management agreed in principle to consider the date of passing of the competency certificate examination as the date for promotion. It is also mentioned that the modalities of promotion whether on area-wise region-wise, companywise basis will be evolved to have a uniform procedure for filling up of all the vacancies of Shotfirer, Mining Sirdar and Overman and that the uniform procedure will be formulated by 31-5-1990. It is obvious from this provision that this Settlement is only prospective but not retrospective. It is nowhere mentioned in the Settlement that this Settlement is retrospective in operation. Therefore there is no substance in the contention by the learned counsel for the petitioner-Union that under Clause 4.4 of the Settlement Deed (Ex. M-1) the workmen under this reference are entitled for promotion w.e.f. their passing of Overman Certificate Examination.

9. With regard to the second contention of the Petitioner-Union, the learned counsel for the Respondent submits that the then existing organisational structure of the Respondent-

Management and the policy of promotion that was in vogue, the workmen under this reference are not entitled to claim promotion on par with T. Rajender and A. Kanakaiah who are said to be juniors to them. It is in the evidence of MW-1, the Personnel Manager of the Respondent-Company, that the period from 1982—85 the Respondent-company was divided into three Regions i.e. Kothagudem, Ballampalli and Ramagundam each headed by the Executive Director who is responsible for extraction of coal, men and materials and directly responsible to the Chief Executive Director stationed at Kothagudem and on the basis of regional seniority the promotion to the post of Overman was filled up. The Executive Director of each Region were empowered to effect promotion and fill up the identified posts like Technical and supervisory Grade B including post of Overman. T. Rajender and A. Kanakaiah have been working in Godavarkhani area in Ramagundam region while the three workmen under this reference have been working in Srirampur area in Bellampalli Region. It is also in the evidence of MW-1 that considering the seniority of T. Rajender and A. Kanakaiah in the region of Ramagundam they were promoted as Overmen on 4-4-1984 and 1-1-1985 respectively depending upon the availability of vacancies. It is also in the evidence of MW-1 that the Respondent-Company was reorganised in later half of 1985 and the Company have been divided into 10 areas namely, Kothagudem, Yenadu, Manuguru, Ramagundam I, Ramagundam-II, Ramagundam (Project), Ballampalli, Mandamarti, Kamakrishnapur and Srirampur, each are headed by a General Manager, and consequent of this reorganisation, promotions for the post of Overman are dealt with at corporate level from 1986 onwards. Considering the seniority of these three workmen under this reference, they were promoted as Overmen w.e.f. 15-9-1986. Thus according to MW-1, Rajender and Kanakaiah of Ramagundam Region were promoted in the year 1984 basing on their regionwise seniority. It is also in the evidence of MW-1 that for want of vacancies of Overmen in Bellampalli Region the workmen under this reference were not promoted as Overmen during 1984 and as and when vacancies arose in 1986 these three workmen were promoted w.e.f. 15-9-1986. Ex. M-2 is the xerox copy of the application of powers to the functional Directors of the 10 areas which are reconstituted in the later half of 1985. There is no cross examination of MW-1 on behalf of the Petitioner-Union on this aspect. Therefore, though T. Rajender and A. Kanakaiah have joined service as workmen in the Company of the Respondent later, they have been promoted as Overmen by virtue of their seniority in their region i.e. Ramagundam depending upon the availability of vacancies of Overmen in that region. The workmen under this reference, though appointed earlier to Rajender and Kanakaiah and though they passed the Overman examination earlier, they could not get their promotion as Overmen for want of vacancy in their region i.e. Bellampalli they could be promoted only in the year 1986 when the vacancies arose in that region. Therefore, there is much force in the contention of the learned counsel for the Respondent-Management that the promotion of these workmen under this reference and the promotions of T. Rajender and A. Kanakaiah cannot be compared. The workmen under this reference are not entitled to be promoted w.e.f. 4-4-1984 on par with T. Rajender for the above said reasons. Further, simply because the workman has passed the Competency examination is not entitled for promotion as the promotion depends upon the availability of the permanent vacancy. Instances are not uncommon where employees joined in different departments of the Government on the same date, getting their promotion on different dates depending upon the availability of vacancies in each department which they joined, though all the departments form part of the Government. Thus the promotions depend upon the availability of vacancies in each particular department and the promotion policy of the Organisation. Therefore, the workmen under this reference cannot claim promotion as Overmen on par with T. Rajender and A. Kanakaiah on account of the then existing promotion policy of the Respondent-Company which was on regionwise seniority basis.

10. In the light of my above discussion, I hold on point (1) that the action of the Respondent-Management in not pre-poning the date of promotion of the workmen N. Venkat Rao, G. Raja Rao and G. Ramlinga Reddy on par with T. Rajender is legal and justified.

11. Point (2).—This point relates to the relief to be granted to the workmen under this reference. In view of my finding

on Point (1) the workmen under this reference are not entitled for any relief.

12. In the result, Award is passed stating that the action of the Respondent-Management in not pre-poning the date of promotion of N. Venkat Rao, G. Raja Rao and G. Ramlinga Reddy on par with T. Rajender is legal and justified, and that the workmen under this reference are not entitled for any relief. The reference is thus answered. The parties are directed to bear their costs.

Dictated to the Stenographer, transcribed by him, corrected by me and given under my hand and the seal of this Tribunal, this the 7th day of April, 1995.

A. HANUMANTHU, Industrial Tribunal-I
Appendix of Evidence

Witnesses Examined
for the Petitioner :

WW-1—N. Venkata Rao.

Witnesses Examined
for the Respondent :

MW-1—G. Ilaiyah.

Documents marked for the Petitioner

- Ex. W-1/1-12-83—Xerox copy of the Overman's certificate.
 - Ex. W-2/19-9-85—Xerox copy of the Authorisation.
 - Ex. W-3/15-9-86—Xerox copy of the office order.
 - Ex. W-4/2-11-83—Xerox copy of the Overman's certificate of T. Rajender.
 - Ex. W-5/4-4-84—Xerox copy of the office order.
 - Ex. W-6/ —Xerox copy of the Regulation submitted by the Petitioner to the Respondent.
 - Ex. W-7/ —Copy of the view of the Management.
 - Ex. W-8/10-6-83—Xerox copy of the Overman's Certificate of G. Raja Rao.
 - Ex. W-9/2-9-85—Xerox copy of the authorisation of Sri G. Raja Rao.
 - Ex. W-10/19-9-87—Copy of the Representation submitted by G. Ramlinga Reddy to the Respondent.
 - Ex. W-11/26-7-85—Xerox copy of the Overman's Certificate of G. Ramlinga Reddy.
 - Ex. W-12/2-9-85—Xerox copy of the authorisation of G. Ramlinga Reddy.
 - Ex. W-13/5-9-86—Xerox copy of the office order with regard to G. Ramlinga Reddy.
 - Ex. W-14/23-3-87—Xerox copy of the office order with regard to G. Ramlinga Reddy.
 - Ex. W-15/9-1-85—Xerox copy of the office order with regard to promotion of A. Kanakaiah.
 - Ex. W-16/31-12-91—Copy of the conciliation report.
- Documents marked for the Respondent
- Ex. M-1/24-3-90—Settlement (xerox copy) dated 22-3-1990.
 - Ex. M-2/24-3-90—Xerox copy of the circular regarding delegation of powers to the General Manager.
 - Ex. M-3/24-3-90—Order of promotion of the workmen under the reference.

नई दिल्ली, 23 जून, 1995

का.आ. 2031.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एफ. सी. आई. के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्विष्ट औद्योगिक

विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-6-95 को प्राप्त हुआ था।

[एल.-22012/29/92-आई आर. (सी-II)]
राजा लाल, डेस्क अधिकारी

New Delhi, the 23rd June, 1995

S.O. 2031.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial dispute between the employers in relation to the industrial dispute between the employers in relation to the management of FCI and their workmen, which was received by the Central Government on 20-6-95.

[No. L-22012/29/92-IR (II)]
RAJA LAL, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL (NO. 2) AT DHANBAD

PRESENT :

Shri D. K. Nayak, Presiding Officer.

In the matter of an application under Section 33A of the I.D. Act., 1947.

Complaint No. 1 of 1995
(Arising out of Ref. No. 25 of 1992)

Shri Narayan Sahu Son of Kanhai Sahu, resident of village : Khirgaon, P.O. Hazaribagh, Dist. Hazaribagh.
Complainant.

Versus

1. The District Manager, FCI, Kothi, Barka Gaon, Road, Hazaribagh.
2. The Senior Regional Manager, FCI, Arunachal Building, Exhibition Road, Patna. . . Opp. Parties.

APPEARANCES :

On behalf of the complainant : Shri V. Kumar, Authorised representative.

On behalf of the Opp. Parties : Shri M. A. Raza, Dy. Manager (I. R.).

STATE : Bihar.

INDUSTRY : Food.

Dated, Dhanbad, the 8th May, 1995

AWARD

This is a complaint case arising out of Ref. No. 25/92 filed by Narayan Sahu alleging that the present complainant, was a party in Ref. 25/92 before the Tribunal No. 2 for adjudication of the reference "Whether the action of the management of FCI, Hazaribagh in denying the pay, wages and all other benefits equal to a Class IV workman of FCI to Shri Narayan Sahu w.e.f. 2-1-88 and in not regularising his service are legal and justified - If not, to what relief the concerned workman is entitled to ?"

2. The Presiding Officer of the Central Govt. Industrial Tribunal No. 2, Dhanbad in his Award dt. 6-10-93 held that the action of the management mentioned in reference was justified and consequently the concerned workman was entitled to no relief.

3. In the instant complaint the main contention of the complainant is that while attending the office on and from 15-1-94 the management of FCI verbally stopped his work and thereby he was retrenched by the Opposite Party in gross violation of Section 33 of the I.D. Act, 1947 as the said Act was done before publishing the Award to the

Gazette of India. The further case of the complainant is that the Award of Ref. No. 25/92 was forwarded to the Manager, Govt. of India Press New Delhi for publication only on 9-10-94 and copy of the said notification was sent to the union by Regd. Post No. 574 dated 10-10-94 at Patna and as such the action of the O.P. management in the way of retrenching the concerned workman with effect from 15-1-94 comes within the pendency of the reference and the same is illegal and unjustified. The management is guilty of contravention of mandatory provision of Section 33 of the I.D. Act, 1947 and their act is void abinitio and the complainant is entitled to for his reinstatement with full back wages with their benefits from the date of his retrenchment.

4. In the W.S. the O.P. management has stated that it is false to say that he was removed from the service verbally with effect from 15-1-94. Their case is that according to Section 20(3) of the I.D. Act the proceeding before the Industrial Tribunal shall be deemed to have been concluded on the day when Award becomes enforceable under Section 17 of the said Act and U/S 17A of the said Act, the award becomes enforceable on the expiry of 30 days from the date its publication under Section 17 of the said Act. It is stated further that there is no specific mode of publication of the Award and the Award was published within 30 days from the date of passing the same and thereafter Hon'ble Tribunal granted certified copy of the Award to the parties. Of course the Central Government gave a later date in the Official Gazette for information of the general public. It is alleged further that if any irregularity on the part of the Central Government the management cannot be blamed and in view of Section 17 read with Section 17A of the I.D. Act, 1947 no offence has been committed under Section 33 or Section 33A of the I.D. Act, 1947. It is further stated that the O.P. management had abolished the post of part time sweeper for cleaning and sweeping of the office of FCI, Hazaribagh and served the order of retrenchment on 24-1-94 upon the concerned workman effecting his retrenchment with effect from 1-2-94. The aforesaid notice dated 24-1-1994 was sent to the concerned workman by Registered post with AD and the Postal Peon wanted to serve the said letter on a number of days from 25-1-94 but the complainant avoided the same. The registered envelope along with A/D came to the management unserved and thereafter the management enclosed a cheque being the payment of notice pay in lieu of notice of one month as well as retrenchment compensation at the rate of 15 days wages per year and his service was counted upto 31-1-94 and his termination became effect from 1-2-1994 only and thereby the management followed the law strictly and so he cannot get any relief. In the rejoinder the interpretation of the word "Publication" has been stated. It is denied that the complainant was restrained from working with effect from 15-1-94 by verbal order. The point that the complainant avoided to receive the notice in spite of running tea shop within the Bank compass being advised by the Union leader but he was terminated retrenching after following the law strictly and thereby no contravention was made as alleged.

5. In the instant case a very short point is involved specially it appears that a Writ application was filed as against this Award which was rejected by their Lordships holding that the Award so passed cannot be interfered upon the objection raised in the Writ Jurisdiction and this was filed in the year 1993. In that case obviously the complainant came to know of the Award before 1994 which is alleged in their petition of complaint for getting benefit under Section 33 of the I.D. Act.

6. In this premises we have to consider Section 20, Section 17 and Section 17A and Section 33 and Section 33A of the I.D. Act 1947 for proper appreciation of the point in dispute.

7. Section 20(3) contemplates :—

"Proceedings (before an arbitrator under Section 10-A or before a Labour Court, Tribunal or National Tribunal) shall be deemed to have commenced on the date of the reference of the dispute for arbitration or adjudication, as the case may be) and such proceedings shall be deemed to have concluded (on the date on which the award becomes enforceable under Section 17-A)."

Now let us come to Section 17A of the said Act where it is stated that an Award shall be enforceable on the expiry of

30 days from the date of its publication U/S 17 with some proviso. Section 17 connotes that "every report of a Board or Court together with any minute of dissent recorded therein, every arbitration award and every award of a Labour Court, Tribunal or National Tribunal shall, within a period of thirty days from the date of its receipt by the appropriate Government, be published in such manner as the appropriate Government thinks fit."

8. Therefore, summing up all these provisions along with the references of the case law reported in 1956 page 745(S) A.I.R. V 43 C. 117 (Lloyds Bank Ltd. Vers. The Lloyds Bank Indian Staff Association and others) it is decided that the date of publication of the Award is the date of notification of the Government and not the date of its appearance in the Gazette and in a case law reported in 1964 Supreme Court page 160 it has been decided that the provision under Section 17 the publication of the Award within 20 days is directory.

9. Keeping in mind the said legal positions let us come to the notice for publication by the Central Government which has been filed by both the parties upon which both the parties had relied upon goes to show that notification was made by the Ministry of Labour on 18-10-93 with a direction to be published not later than 13-11-93. Already it has been pointed out that the Award was passed on 6-10-93 so though all the ingredients of Section 17 and Section 17A of the I.D. Act have been complied with but some latches were on the part of the persons entrusted with for such work which forced the Ministry to give a by date for publication in the Gazette on 5-10-94. Already it has been held that provision of Section 17 is a directory one and it is not mandatory and in that case for the purpose of compliance of Sections 17 and 17A read with Section 20(3) of the I.D. Act referred to above in strict view of law the notification for publication of the Award passed in the instant reference on 18-10-93 which is within 30 days with a direction to be published in the Official Gazette not later than 13-11-93 and in that case if it was not so complied with in the matter of publication that does not come to the benefit of the complainant workman for holding that the proceeding was still in abeyance. Rather the facts and circumstances goes to show that it was concluded on 18th October, 1993 by notification for publication and thereby if he was terminated after observing the formalities as stated in their petition and which is not denied by the concerned workman in course of hearing of this complaint petition I find that the petition appears to be baseless and that does not contravene the provision of Section 33 of the I.D. Act and it calls for no action. Moreover, when the post has already been abolished as I find from the documents filed by the O.P. management and when he was given with his dues by cheque which is not denied he is not entitled to get any order of reinstatement or any back wages in the present application. Of course he is at liberty to make further reference in this context if the law permits so.

10. Finally it is held that the petition stands dismissed and it calls for no action as it is not maintainable in law and accordingly the complainant is entitled to no relief in the instant proceeding.

I conclude my award with observation that the Officer Incharge of the Ministry of Labour for notification and publication of the Award should be alert in future so that the award be notified and published in accordance with the provision laid down in I.D. Act and at the same time it is observed that this type of anomaly which has happened in the present case deserves elimination to avoid breeding of further litigation for such anomaly.

D. K. NAYAK, Presiding Officer

नई दिल्ली, 23 जून, 1995

का.आ. 2032.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एम. सी. सी. एन. के प्रबंधन के संबंध नियोक्तों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, हैंगवाड के

पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-6-95 को प्राप्त हुआ था।

[एल-22012/109/93-आई. आर. (सी.-II)]
राजा लाल, डेस्क अधिकारी

New Delhi, the 23rd June, 1995

S.O. 2032.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Hyderabad as shown in the Annexure in the industrial dispute between the employers in relation to the management of S.C.C. Ltd. and their workmen, which was received by the Central Government on the 21-6-95.

[No. L-22012/109/93-IR(C.II)]

RAJA LAL, Desk Officer

BEFORE THE INDUSTRIAL TRIBUNAL-I AT
HYDERABAD

Dated, 6th day of May, 1995

Industrial Dispute No. 26 of 1993

PRESENT:

Sri A. Manumanthu, M.A., LL.B., Industrial Tribunal-I.

BETWEEN

The Chief Vice President Central

Council S.C. Workers Union (AITUC),

Bellampalli (P.O.) (Distt.) Adilabad.

Petitioner

AND

The General Manager (Personnel),
S.C. Co. Ltd., Kothagudem Collieries
(P) Bhadrachalam Road Railway Station,
Kothagudem Distt. Khammam.

Respondent.

APPEARANCES:

Sri Ganga Ram, Representative for the Petitioner

The Dy. Personnel Manager for the Respondent.

AWARD

This is a reference made by the Government of India, Ministry of Labour, by its Order No. L-22012/109/93-IR(C.II) dated 12-7-1993 under Sections 10(1)(d) and (2A) of the Industrial Disputes Act, 1947 for adjudication of the dispute between the Management of Singareni Collieries Company Limited, Kothagudem and their workmen set in forth the point for adjudication in the schedule appended thereto as follows:—

"Whether the action of the management in non-granting annual increments to Sri Y. Venkata Reddy, Overman, Gr. B, MVK-5 Incline, S.C.C. Ltd., Bellampalli, who has been appointed as Overman Grade 'B' (statutory post) under Coal Mines Regulations w.e.f. 1-3-84 on par with Shri Sk. Chand Pasha, Overman, RK-7 Incline and others is legal and justified? If not, to what relief the workman is entitled to?"

This reference has been registered as Industrial Dispute No. 26 of 1993, on the file of this Tribunal. After receiving the notices issued by this Tribunal, both parties put in their appearance and the petitioner filed his claim statement on 17-1-1994 and the Respondent has not filed the counter.

2. On 6-5-1995 the Petitioner and his representative and the Deputy Personnel Manager of Respondent and his counsel were present. Both the parties filed compromise memo praying to dispose off the industrial dispute in terms of the settlement. The terms of compromise were read over and explained to the parties and they admitted the same to be correct, and hence compromise recorded.

1657 GI/95 — 8.

3. An Award is passed in terms of compromise. The Compromise Memo filed by both the parties is appended to this Award. There will be no order as to costs.

Typed to my dictation, given under my hand and the seal of this Tribunal, this the 6th day of May, 1995.

A. HANUMANTHU, Industrial Tribunal—I

BEFORE THE HON'BLE INDUSTRIAL TRIBUNAL, HYDERABAD

I. D. NO : 26/93

BETWEEN:

Shri Y. Venkat Reddy,
JMET, MVK. 5 Incline,

Bellampalli(P) Area.
Vs.

Petitioner Employee.

The Management of S.C. Co. Ltd.,
Kothagudem, Represented by
General Manager (Personnel) . . Respondent

Management.

COMPROMISE MEMO FILED BY BOTH
THE PARTIES

It is respectfully submitted that the Chief Vice President, Singareni Collieries Workers' Union (AITUC) raised an Industrial Dispute before Asst. Labour Commissioner (Cen) Mancherla, demanding that Shri Y. Venkat Reddy, JMET, MVK. 5 Incline, should be appointed as Overman in Tech. & Sup. Grade 'A' on par with Shri R. P. Choudary and Shri S. Parab. Consequent on failure in conciliation, this Industrial Dispute was referred for adjudication with the following schedule of reference, and registered as I.D. No : 26/93 in the Hon'ble Industrial Tribunal:

"Whether the action of the management in not granting increments to Shri Y. Venkat Reddy, Overman, Gr. 'B' MVK. 5 Incline, S.C.C. Ltd., Bellampalli, who has been appointed Overman Grade 'B' (Statutory post) under Mines Regulation, w.e.f. 1-3-84 on par with Shri S. K. Chand, Hd. Overman, MVK. 5 Incline and others is legal and justified? If not, to what relief the workman is entitled to?"

While the dispute is pending before the Hon'ble Industrial Tribunal for enquiry, the petitioner workman has come forward to settle the dispute by entering into an amicable settlement. After prolonged discussions between the petitioner workman and the Management the above Industrial Dispute is settled mutually on following terms:

TERMS OF SETTLEMENT :

1. Management agrees to appoint Shri Y. Venkat Reddy Overman Gr. 'B' as Head Overman in Technical & Supervisory grade 'A' notionally with effect from 01-11-1983 and allow increments on par with Shri R. P. Choudary & other's. He will be allowed monetary benefit with effect from 1-3-1994.

2. The petitioner workman expressly agreed not to claim any arrears for the period 01-11-1983 to 28-2-1994 and agreed not to raise any further dispute over the matter in any court of law or authority.

Both the parties agreed to the above terms of Settlement with free will and consent and signed the above settlement.

It is prayed that, the Honble Industrial Tribunal may be pleased to dispose off this Industrial Dispute in terms of above settlement & pass necessary orders as it deems fit & proper.

PETITIONER EMPLOYEE :

(Y. VENKAT REDDY),
JMET, MVK. 5 Incline.

RESPONDENT MANAGEMENT

(R. SUDHEER),
Addl. Chief Personnel Manager (IR).
(J. PAUL THOMAS),
Dy. Chief Personnel Manager (IR).

Witnesses :—

1. (P.A.V.V.S. SHARMA)
Dy. Personnel Manager (IR)
2. (P. RAMAKRISHNA RAO)
Clerk Gr. I, Corp. Personnel Dept.
Kothagudem.

Kothagudem Collieries.

Dt. 18-4-1995.

Sd/- (illegible)

Counsel for Repdt.

BEFORE THE HON'BLE INDUSTRIAL
TRIBUNAL-I AT HYDERABAD

I. D. NO. 26 of 1993

Between :

Y. Venkat Reddy,
JMET, MVK. 5 Incline,
Bellampalli (P) Area. . . Petitioner.

And

The Management of S.C.Co., Ltd.,
Kothagudem, Represented by
General Manager (Personnel).

. . Respondent.

COMPROMISE MEMO FILED BY BOTH
THE PARTIES

Filed on : 6-5-1995.

Filed by

M/s. K. Srinivasamurthy,
G. Sudha,

Counsel for Respondent.

नई दिल्ली, 23 जून, 1995

का. आ. 2033.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस. सी. सी. एल. के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, हैदराबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-6-95 को प्राप्त हुआ था।

[एल.-22012/429/93आई.आर. (सी-II)]

राजा लाल, डेस्क अधिकारी

New Delhi, the 23rd June, 1995

S.O. 2033.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby published the award of the Central Government Industrial Tribunal Hyderabad as shown in the Annexure in the industrial dispute between the employers in relation to the management of S. C. C. Ltd., and their workmen, which was received by the Central Government on the 20/6/95

[No. L-22012/429/93-IR (CII)]

RAJA LAL, Desk Officer

BEFORE THE INDUSTRIAL TRIBUNAL,
HYDERABAD-II, AT HYDERABAD

PRESENT :

SRI N. ISMAIL, B.Sc., LL.B., CHAIRMAN

DATED : 12th May, 1995

I. D. No. 10 of 1994

Between :

Sri K. Venkataiah,
General Secretary,
Singareni Collieries Bit Sharpners
Association,
Qr. No. 117, 3rd Zone,
Kalyani Khani—504 231,
Adilabad District,
Andhra Pradesh. . . PETITIONER.

AND

The General Manager,
M/s. Singareni Collieries Co. Ltd.,
Ramakrishna Pur,
Adilabad District. . . RESPONDENT

Appearances :

Petitioner — NONE —

Respondent Sri K. Srinivasa Murthy.

AWARD

This is a reference made U/S. 10(1)(d) of I. D. Act, 1947 by the Government of India

through its order in No. L-22012/429/93-I.R (C.II) dated 25-3-1994 for adjudication of the Industrial Dispute annexed therein and it reads as follows :—

“Whether the action of the Management of M/s. B. C. Co. Ltd., in not promoting Sri O. Saraiah, General Mazdoor, R. K. 5 incline to the post of Bit Sharpner Cat. IV is legal and justified? If not to what relief the workman is entitled to ?”

After receipt of reference, Notices have been issued to both the parties on 21-4-1994 and thereafter this case under went number of adjournments from time to time till 20-2-1995 for filing claim Statement by the Petitioner, on 28-2-1995 Notice was ordered to the Petitioner and the case was adjourned on 23-3-1995. On 23-3-1995 again the case was adjourned to 7-4-1995. In spite of receipt of the notice ordered on 28-2-1995 by the Petitioner there was no representation for the Petitioner on 7-4-1995 and case was adjourned to 19-4-1995. From 19-4-1995 the case was adjourned to 29-4-1995. On 29-4-1995 also there was no representation for Petitioner and the case was adjourned finally to 12-5-1995. Finally today i.e., on 12-5-1995 also the Claim Statement is not filed, the petitioner called absent despite service of notice. Petitioner is not evincing any interest in persuing the matter Hence reference is closed.

In the result a Nil Award is passed.

Written by me given under my hand and the Seal of this Tribunal this the 12th day of May, 1995.

CHAIRMAN,
INDUSTRIAL TRIBUNAL-II,
HYDERABAD

APPENDIX OF EVIDENCE

No oral or documentary evidence has been adduced on either side.

CHAIRMAN
INDUSTRIAL TRIBUNAL-II,
HYDERABAD

नई दिल्ली, 23 जून, 1995

का. आ. 2034.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस. सी. सी. एल. के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, हैदराबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-6-95 को प्राप्त हुआ था।

[एल.-22012/170/93आई.आर. (सी-II)
राजा लाल, डेस्क अधिकारी

New Delhi, the 23rd June, 1995

S.O. 2034.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Hyderabad as shown in the Annexure in the industrial dispute between the employers in relation to the management of S.C.C. Ltd. and their workmen, which was received by the Central Government on the 21st June, 1995.

[No. L-22012/170/93-IR C-II]
RAJA LAL, Desk Officer

BEFORE THE INDUSTRIAL TRIBUNAL AT
HYDERABAD

PRESENT:

Sri A. Hanumanthu, M.A., LL.B., Industrial Tribunal-I.
Dated: 6th day of April, 1995
Industrial Dispute No. 30 of 1993

BETWEEN

The Singareni Coal Mines Labour Union (INTUC),
Kothagudem represented by its General Secretary,
... Petitioner.

AND

The General Manager,
Singareni Coal Mines Company Limited,
Kothagudem.
... Respondent.

APPEARANCES:

M/s. G. Bikshapathi, G. Vidya Sagar, N. Vinesh Raj
and G. Ravi Mohan, Advocates—for the Petitioner.

M/s. K. Srinivasa Murthy, G. Sudha, Advocates—for
the Respondent.

AWARD

This is a reference under Section 10(1)(a)(d)(2A) of the Industrial Disputes Act, 1947 (hereinafter called as Act) made by the Government of India, Ministry of Labour, by its Order No. L-22012/170/93-IR(C. II) dated 13th August, 1993 for adjudication of dispute annexed in its schedule which reads as follows:

“Whether the action of the management of Singareni Collieries Company Ltd. Kothagudem Area in not confirming Sri D. Rayanarsu and S. Venkateswara Rao as Chairman in E Grade is justified? If not, to what relief the workmen are entitled to ”

This reference has been registered as Industrial Dispute No. 30 of 1993. After receipt of the notices issued, the petitioner and the Respondent have appeared before this Tribunal and they are being represented by their counsel.

2. On behalf of the Petitioner-Union, a claim statement has been filed to the following effect. The Petitioner is a Trade Union registered under Trade Union Act with registration No. 2064 and it is affiliated to INTUC. The workmen concerning the dispute under this reference, i.e. D. Rayanarsu and S. Venkateswar Rao are the members of the Petitioner-Union Sri D. Rayanarsu and S. Venkateswara Rao were originally appointed as Badli fillers on 24th September, 1981 and 25th August, 1981 respectively. Subsequently in 1982 they were transferred to Survey Department as Survey Mazdoors. Their services were confirmed as Survey Mazdoors in Category-I from 1st January, 1988. They were promoted as Centre Boys, Category-II with effect from 1st July, 1990. But they have been officiating and acting as Chainman from 1986, to June 1991. They were also paid wages of Chainman in E Grade upto June 1991. Since these workmen worked continuously for more than five years in the higher post, they are entitled to be confirmed as Chainman. The question of promotion as Centre Boy (Assistant

Chainman) from 1st July, 1980 is not relevant in as much as they have been continuously working as acting Chainman, a post higher than Asst. Chainman. The fact that they have been working for more than five years as Chainman, would itself establish that they were working in a permanent post. The Petitioner Union submitted representation under Grievance Procedure on 5th October, 1991 to the Respondent to confirm the said workmen in the Category of Chainman, but the Management replied that the promotion to the post of Chainman has to be made from Assistant Chainman after completion of three years of service. But the said procedure is not applicable as to workmen herein continue to work in the post of Chainman right from 1986. As there was no positive response from the Respondent, the petitioner-Union moved the Assistant Commissioner of Labour (Central) on 10th October, 1991. Thereafter the matter was admitted in conciliation and a failure report was submitted by the Conciliation Officer and on account of it the present reference has been made by the Government of India. Under the Standing Orders of the Respondent Company, a person who has been appointed for an indefinite period or who completes probation period of 3 months in the same service or another service is deemed to be permanent employee. In the instant case, the workmen continued to work as Chainman for more than 5 years continuously. The requirement of 3 years service has been brought into effect by virtue of Settlement dated 21st December, 1991 and it is not applicable to the workmen concerned in this dispute. The Management entered into a Settlement on 17th April, 1991 and under Clause 3 of the said Settlement, acting personnel who are continuously working for more than one year in various time-rated jobs will be confirmed in the existing vacancies as per the existing procedure. Hence the workmen herein are entitled to be confirmed as Chainman. The workmen herein possess the qualifications and they worked as Chainman continuously from 1986. Hence the stipulation that one should have 3 years of service as Assistant Chainman has no relevance. The action of the Management in not confirming these two workmen as Chainman in E Grade is illegal and unjust and therefore an Award may be passed directing the Respondent-Management to confirm these two workmen as Chainman from 1986 or any other date as deemed fit and proper and grant all consequential benefits.

3. On behalf of the Respondent-Management a counter has been filed to the following effect. The Petitioner-Union is put to strict proof that the workmen D. Rayanarsu and S. Venkateswar Rao are its Union members. It is true that the workmen herein were initially appointed as Badli fillers and later on they were posted to work in Survey Department in the same capacity and in the same grade as piece-rated workmen normally all the piece-rated workmen opt for time-rated jobs. As fillers though they earn more, they opt for the time-rated work. The main reason for this attitude of workmen is in piece-rated job the wages will be paid basing on the production and mine average. In the time-rated job the wages are paid basing upon the category in which they are working irrespective of production. Whenever a piece rated employee is transferred to time rated post, he will be taken on Category I job. D. Rayanarsu and Venkateshwar Rao who were working as piece-rated employees were drafted to time rated Cat. I w.e.f. 1-3-1983. Both of them studied Fifth Class and also had working knowledge in the Survey Department. Hence they were designated as Survey Mazdoors. After working for two years in Category I as Survey Mazdoor both were promoted as Centre Boy Cat. II w.e.f. 1-7-1990. Both of them while working as Centre Boy, at the time of exigency, they acted as Chainman in E. Grade. As acting chainman they were entrusted with some routine jobs. They were also paid acting allowance for acting as Chainman of E. Grade. In the Respondent-Company because of exigencies and high rate of absenteeism in certain posts there are no personnel to work and it resulted in allowing lower category employees to act till a permanent workman is posted for the same unit area. Though as per the rules of Respondent-Company, the lower category employees are not eligible for getting promoted to a higher category post, they were posted temporarily as a stop gap arrangement for acting and acting allowances were being paid for the period they acted in a higher post. By mere acting an employee will not get a right to claim for the higher post. Chainman post is in 'E' Grade and it is a monthly rated post. An employee who is originally in time-

rated category cannot take off the step-jump to get 'E' Grade post. After National Coal Wage Agreement came into existence, workmen are classified into three types in the Respondent Company i.e. monthly rated, daily rated and piece rated. Daily rated workmen are again classified into Category I to VI. The promotional channel is in upward trend i.e. Cat-I to VI. Only after the completion of VIth Category generally employees go into the monthly rated grades which are from 'H' to 'A'. The procedure for recruitment for a post of permanent Chainman is totally different and it is a selection post. According to the promotion policy, the Respondent Company has to identify similar type of vacancies in the particular group of mines/area and has to identify the eligible candidates on seniority basis and on ratio basis. Senior candidates will be sent for interview and trade test. Among these employees whoever scores highest marks will be posted for permanent post. Further according to the promotional procedure unless a worker works as Assistant Chainman in Grade-F for five years, he is not even eligible to apply for Chainman post in 'E' Grade. These eligible candidates have to face written and practical tests and interview and based upon the assessment report of respective candidates they will be selected against the vacancies. The marks allotted are as follows :

In the assessment report 25; written test 30 marks, practical test 30 marks; and in interview 15 marks. Both the workmen under this reference are not eligible even to apply for the post as they were not having eligible qualification for Chainman post. Further where there is stagnation in a category where the Asst. Chainman works for nine years in the designation of Asst. Chainman and discharged Asst. Chainman duties they can be upgraded into Grade-E and monetary benefits are given. But such upgradations are not treated as promotions. Further in view of the stagnation as a one time measure Centre Boys in Cat-II who had 3 years experience as on 1-3-1991 were called for interview and test and successful candidates were given Chainman post. Both the workmen in dispute were not having requisite number of years of experience as Centre Boys, so they could not be considered even to call for attending the test and interview. The Standing Orders were misconstrued by the Petitioner Union. The interpretation given by the workmen is not correct, and calculation based on such interpretation of eligibility date is bad in law. All the settlements are binding on the Union and the workmen. On the ground of continuously considered for stop-gap arrangements, one cannot claim for a post. The Petitioner Union is not justified in asking exemption for certain qualification and experience for the workmen for being absorbed as Chainman. Such procedure will affect several similarly placed workmen who will be deprived of their promotion and this procedure will create unhealthy practice and may create industrial unrest. There are no merits in the Petitioners' case. Under this reference they are not entitled for any relief.

4. On behalf of the Petitioner-Union WW-1 is examined and Exs. W-1 to W-9 are marked. The workman D. Rayanarsu got himself examined as WW-1 and he deposed to the averments in the claim statement. On behalf of the Respondent, MW-1 and MW-2 are examined and marked Exs. M-1 to M-4. K. V. Subba Rao Deputy Personnel Manager and B. Solomon working as Welfare Officer in the Respondent Company are examined as MW-1 and MW-2 respectively and they deposed to the averments in the counter. The details of the documents Exs. W-1 to W-9 and Exs. M-1 to M-4 are appended to this Award.

5. The points for consideration are :

- (1) Whether the action of the Respondent Management in not confirming the workmen D. Rayanarsu and S. Venkateswara Rao as Chainman in 'E' Grade is justified ?
- (2) To what relief the workmen are entitled to ?

6. Point (1).—The admitted facts as revealed from the evidence on record are as follows :

The Workmen D. Rayanarsu (WW-1) and S. Venkateswara Rao were originally appointed as Badli fillers on 24-9-1981 and 25-8-1981 respectively. Subsequently both of them were drafted as General Mazdoors in Category I in time rated job from 1-3-1983. Subsequently they were designated as Survey Mazdoor in Category I with effect from 1-1-1988. Afterwards they were promoted as Centre Boys Category II from 1-7-1990. Ex. W-2 is the xerox copy of the order dated 12-3-1983 appointing the workman D. Rayanarsu as General Mazdoor in Category I w.e.f. 1-3-1983. Ex. W-3 is the xerox copy of the office order dated 18-3-1988 absorbing the two workmen i.e. S. Venkateshwar Rao and D. Rayanarsu as Survey Mazdoors in Category I w.e.f. 1-1-1988. Ex. W-4 is the xerox copy of the order dated 17-7-1990 promoting these two workmen as Centre Boys Category II w.e.f. 1-7-1990. It is also admitted that these two workmen have acted as Chainman from June 1986. Exs. W-5 and W-8 are the certificates issued by the Colliery Manager D.K. 7 to the effect that these two workmen have been working as acting Chainman from June 1986. It is also not disputed that they continued to act as officiating Chainman till June 1991. It is also not disputed that these two workmen while acting as officiating Chainman were receiving acting allowances and Ex. W-6 are the xerox copies of the wage slips of these workmen to show that they received acting allowance as Chainman. The two workmen studied upto 5th Standard. It is also not disputed that the workmen in the Respondent company are classified in to three types and they are monthly rated, daily rated and piece rated. Daily rated workmen are again classified into Categories I to VI and their promotional channel is in upward trend i.e. Category I to Category VI. Only after completion of Vth category generally employees go into monthly rated grades which are from H to A and their promotional channel is from H to A.

7. The learned counsel for the Petitioner-Union submits that these two workmen having been acting as officiating chainman from 1986 to June 1991, are entitled to be confirmed in the existing vacancies of Chainman and they should not be subjected to written test and oral test as contemplated under the Rules of the company. He contends that they could be confirmed as Chainman in view of their long service as acting Chainmen. Further he submits that under Clause 3 of the Settlement dated 17-4-1991 marked as Ex. W-9 (Ex. M-4), the persons who are continuously acting for more than one year are entitled to be confirmed in the existing vacancies. The learned counsel for the Petitioner further submits that the settlement is under Section 12(3) of the I. D. Act and as such it is applicable to the present workmen and as these workmen have been working as Acting chainman continuously from 1986, they are entitled to be confirmed as Chainman from that date. Ex. M-4 is the original of Ex. W-9 i.e. the Memorandum of Settlement dated 17-4-1991 arrived at under Section 12(3) of the I. D. Act between the Management of the Respondent Company and their workmen represented by various Workers Union.

8. The Petitioner Union is relying on Clause 3 of this document. This Clause relates to confirmation of workers acting in higher categories, acting clerks etc. The relevant portion of this Clause reads as follows :

“..... Other acting personnel who are continuously acting for more than one year in various time-rated jobs, will be confirmed in the existing vacancies as per the existing procedure. The present system of test will continue for such disciplines for which tests are being held at present.”

Relying on this provision, the learned counsel for the Petitioner submits that the post of Survey Mazdoor is a time rated job and the workmen herein have been working as Survey Mazdoors since 1983 and that they are acting as Chainman from 1986 and they are entitled for confirmation as Chainman under this Clause. As seen from this Clause quoted above, the confirmation relates to acting personnel

who are continuously acting for more than one year in various time rated jobs in the existing vacancy as per the existing procedure. It is no doubt true that the post of survey mazdoor in which these workmen are working are time rated jobs. But the post of Chainman is not a time rated job, but it is monthly rated one and these workmen have been working as acting chainman i.e. monthly rated job and they are not acting in a time-rated job. Further it is also mentioned in the same clause that the present system of test shall continue for which tests are being held at present. Therefore, this Clause has no application as the post of Chainman is not time rated job and it is a monthly rated one. Ex. W-1 is the xerox copy of the Standing Order dated 1-8-1994 of the Respondent-Company. WW-1 has categorically admitted in his cross examination that “there is no provision in the Standing Order of the Company to make permanent the acting personnel”. Thus there is no provision in this Standing Order Ex. W-1 for making permanent an acting personnel in any category.

9. Admittedly the post of Chainman in the Survey Department of the Respondent-Company is a selection post and it is a monthly rated job. Admittedly there are guidelines communicated right from 1978 for filling up the vacancies of the post of Chainman Survey Department of the Respondent-Company. As seen from Ex. M-2 the guidelines issued in 1978 for filling up the vacancy for Survey personnel in various Mines have been reviewed and some relaxation in the matter of filling up vacancy of Centre Boy as one time measure as Chainman, of reducing the years of experience. Clause 3 of Ex. M-2 relates to the procedure for filling up of vacancies of Chainman and it reads as follows :

“According to the guidelines communicated in 1978, promotion to the post of Chainman in Technical Grade ‘E’ will be made from Centre Boys at least 5 years experience, subject to availability of vacancy and after passing a test (both written and practical, equivalent to Survey paper in II Class Manager’s examination) and earning a satisfactory report about work, attendance and conduct i.e. Assessment report. It has been decided to revise the experience required as Centre Boy to 3 years service instead of 5 years and selection will be on the basis of seniority cum-merits. The other conditions i.e. availability of vacancies, passing a qualifying test (both written and practical, equivalent to survey paper in II Class Managers’ Examination) and earning satisfactory report about the work, attendance and conduct i.e. assessment report should be followed.”

It is clear from this Clause that prior to 1991 the promotion to Chairmen in Grade ‘E’ will be made from Centre Boys having at least 5 years experience subject to availability of vacancy and passing of the test and earning a satisfactory report about the work, attendance and conduct. This has been relaxed under Clause 3 of M2 dt. 10-6-1991 and the experience required as Centre Boy has been reduced to 3 years service from 5 years. But the other condition of availability of vacancy, passing of qualifying test and earning satisfactory assessment report stand. As seen from Ex. M1 there was a settlement under Section 12(3) of the I. D. Act 1947 on 3-4-1992 between the Management of Respondent-Company and the Union of the Workmen. Under Clause 3 of this Settlement (Ex. M1) it was agreed to abolish the designation of Centre Boy, and Survey Mazdoor with three years service in Category II as Survey Mazdoor will be considered as post of Assistant Chairman in Grade ‘F’ based on assessment report test against the vacancy and all existing Centre Boys designated as Assistant Chainman in place of Grade ‘F’ on assessment report as a one time measure. Under Clause 4 of this Settlement (Ex. M1) Assistant Chainman in Grade ‘F’ with five years service will be considered for promotion to the post of Chainman in Grade ‘E’ post based on assessment report and Test (both written and practical) and interview against the vacancies. If there is no vacancy of Chainman, the Assistant Chainman will be placed in Grade ‘E’ as Assistant Chainman and on completion of 9 years service in Grade ‘F’ as personal to them on the basis of assessment report. They will continue to perform the jobs of Assistant Chainman in Grade ‘F’ and will be accounted in the group of Assistant Chainman. Under Clause 3 of this Settlement, the workmen under this reference who have been promoted as Centre Boys, have been designated as Assistant Chainman and placed in Grade ‘F’. But under Clause 4 of this Settlement they have to put in nine

years of service in Grade 'F' before their claim for promotion to the post of Chainman in Grade 'E' is to be considered and they have to appear for written and practical test and interview before they are selected. Ex. M4 the Memorandum of Settlement dt. 17-4-1991, does not relate to Survey personnel of the Respondent-Company. The learned counsel for the Petitioner submits that Ex. M1 cannot be relied upon as there is no provision for confirmation of an acting chainman in the permanent post of Chainman. As earlier stated the post of Chainman is a monthly rated post and also a selection post and test has to be conducted for the Centre Boys/Assistant Chainman for the promotion to the post of Chainman. It is also admitted that in the month of April, 1991 a test was conducted for Centre Boys for promotion to the post of Chainmen and the two workmen under this reference i.e. Rayanarsu and Venkateshwara Rao were not called for to sit for that test as they did not put in three years of service as Centre Boys by then. By mere acting as Chainmen they cannot claim for permanent post of Chainmen as the post has to be filled up only by conducting a test both written and practical and also interview from among the eligible centre boys/assistant chainmen with five years experience. Therefore, there cannot be a provision for confirmation for acting personnel as Chainmen in the Settlement dt. 3-4-1992 and Settlement dt. 10-6-1991 (Ex. M).

9. The workman D. Rayanarsu examined as W.W1 admits in his evidence that the post of Chainman is a selection post and promotion to that post is from Assistant Chainmen. In his cross-examination W.W1 stated thus "It is true that there are confirmed centre boys equally placed like me for the post of Chainman. It is true that the promotion is from Assistant Chainman to Chainman post. It is true that unless a person works for 9 years as Assistant Chainman he will not be eligible for promotion as Chainman in Grade 'E'. It is true that the Chainman is a selection post and merit post. It is true that all the eligible Assistant Chainman after identifying the number of posts of Chainmen have to be called for interview and also for a practical test. It is true that those persons who will be eligible on merits and score highest marks are given the said post. It is true that myself and Venkateswar Rao are not eligible even for applying for the Chainman post as we have not completed nine years service". M.W1 who is working as Deputy Personnel Manager in the Respondent Company deposed on this aspect thus "A test will be conducted for the promotion as Chainman from the category of centre boys who have put in 3 years of service as centre boys as per the cadre scheme for survey personnel. The post of Chainman is a selection post and it is a monthly rated job. In the month of April, 1991 a test was conducted for centre boys for the promotion to the post of Chainman. We did not call the said two workers D. Rayanarsu and S. Venkateswara Rao for the reason that they did not put in 3 years service as Centre boys. In the absentee-vacancies these two workers worked as Chainmen during 1986 to 1991, and they were paid acting allowance. By mere acting as Chainman they cannot claim for the permanent post of chainman. As per Cadre scheme for survey personnel, the said two workers are not eligible for promotion to the post of chainman." In his cross-examination M.W1 stated thus : "There was a settlement on 17-4-1991 between the management and the workers Union relating to service conditions. I am aware of that Settlement. Ex. W9 is the xerox copy of that settlement (marked in cross-examination). It is true that the persons who are continuously acting for more than one year in time rated jobs will be confirmed in the existing vacancies as per the existing procedure. Witness adds the settlement under Ex. W9 is not applicable in this case. Question : What is the procedure for appointment of Chainman?

Ans. For the promotion of the Chainman the centre boys who have put in 3 years service as Centre Boys will be called for a selection test. As per seniority-cum-merit the promotions will be given against the vacancies. I have brought the guidelines relating to the promotion of the survey personnel and they contain the provisions relating to the promotion to the post of chainman, centre boys and survey mazdoors. As per the settlement of 17-4-1991 the workmen who have been acting in time rated jobs for more than one year are to be confirmed, but this settlement is not applicable for monthly rated jobs. Further in the settlement it was emphasised that the present system of test will continue for such discipline for which tests are being held at present." M.W2 who is

working as Welfare Officer in the Respondent Company deposed on this aspect thus : When acting man when he is working in higher category he will be paid acting allowance. The chainman in Survey Department is a selection post. For the purpose of selection the eligible candidates will be called for written test." He denied the suggestion that the workmen under this reference are entitled for the posts of Chainmen. Under the Settlement dt. 17-4-1992, Ex. M1 dt. 3-4-1992 a cadre scheme has been formulated for filling up the vacancy of Chainman which is a selection post. The oral testimony of M.W1 and M.W2 is amply corroborated by recitals in Exs. M1 and M2 that the post of Chainman will be filled up by calling for all eligible candidates from Centre Boys/Assistant Chainmen in Grade F, and on assessment report and test both written and practical and interviews, they will be selected. The learned counsel for the Petitioner failed to substantiate his plea that acting Chainmen are entitled to be confirmed in the permanent post of Chainman. He failed to show any provision for confirmation of such acting personnel in the permanent post of Chainman. Simply because the two workmen under this reference had acted in the officiating capacity of Chainman from 1986 to 1991, it cannot be said that they are entitled to be confirmed in the post of permanent Chainman. The argument that the acting employees should be confirmed in the permanent post does not stand to reason and it cannot be justified also. If such practice is followed, it will deprive opportunities for the real deserving employees and it will also create unhealthy practice. It may also lead that workmen who have influenced with the higher authorities get themselves appointed as acting personnel and by virtue of it they get themselves confirmed in the said post and thus depriving really deserving employees and this will create lot of industrial unrest. By mere acting temporarily one cannot claim for promotion to selection post like Chainman.

10. In the light of my above discussion, I hold on Point (1) that the action of the Respondent-Management in not confirming the two workmen namely D. Rayanarsu and S. Venkateswara Rao as Chainmen in Grade 'E' is justified. The point is thus decided in favour of the Respondent-Management and against the Petitioner-workmen.

11. Point (2):—This point relates to the relief to be granted to the workmen under this reference. In view of my finding on Point (1), the workmen under this reference are not entitled to any relief.

12. In the result, Award is passed holding that the action of the Management of Respondent Company in not confirming the workmen Rayanarsu and Venkateswara Rao as Chainman in 'E' Grade is justified and the workmen are not entitled for any relief. The reference is thus answered accordingly. The parties are directed to bear their costs.

Dictated to the Stenographer, transcribed by him, corrected by me and given under my hand and the seal of this Tribunal, this the 6th day of April, 1995.

A. HANUMANTHU, Industrial Tribunal-I
Appendix of Evidence

Witnesses Examined for
Petitioner-Workmen :

W.W1 D. Rayanarsu.

Witnesses Examined for
the Respondent :

M.W1 K. V. Subba Rao

M.W2 B. Solomon.

Documents marked for the Petitioner :

- Ex. W1 6-8-94.—Xerox copy of Standing Orders of Company.
- Ex. W2 12-2-83.—Xerox copy of the appointing order giving Category I.
- Ex. W3 18-3-88.—Xerox copy of office order.
- Ex. W4 17-7-90.—Xerox copy of office order.
- Ex. W5 14-12-87.—Copy of office order (certificate) of the Respondent.
- Ex. W6 14-12-87.—Xerox copies of Wage slips in respect of workmen.

Ex. W7 1-11-91.—Copy of representation of the workman to the Asstt. Labour Commissioner (Central) for conciliation.

Ex. W8 1-11-91.—Service Certificates issued by the Colliery Manager, MVK 7 Incline.

Ex. W9 1-11-91.—Xerox copy of the Settlement dt. 17-4-1991.

Documents marked for the Respondent :

Ex. M1 3-4-92.—Xerox copy of the Settlement.

Ex. M2 10-6-91.—Xerox copy of Circular dt. 10-6-81, issued by the Director (Personnel).

Ex. M3 15-11-78.—Study of the requirement of Survey Staff in the Mines and the organisation of the Survey Department by Industrial Engineering Department dt. November, 1978.

Ex. M4 17-4-91.—Xerox copy of Settlement under Section 12(3) of the I. D. Act between the Management and the Workers of Singareni Collieries Company Limited.

नई दिल्ली, 23 जून, 1995

का. आ. 2035.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस सी सी एल. के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, हैदराबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-6-95 को प्राप्त हुआ था।

[एल-22012/245/93-आई आर (सी-II)]

राजा लाल, डेस्क अधिकारी

New Delhi, the 23rd June, 1995

S.O. 2035.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Hyderabad as shown in the annexure in the industrial dispute between the employers in relation to the management of SCC Ltd. and their workmen, which was received by the Central Government on the 21-6-95.

[No. L-22012/245/93-IR(C-II)]

RAJA LAL, Desk Officer

BEFORE THE INDUSTRIAL TRIBUNAL AT
HYDERABAD

PRESENT :

Sri A. Hanumanthu, M.A., LL.B,
Industrial Tribunal-1.

Dated 3rd day of May, 1995

Industrial Dispute No. 9 of 1994

BETWEEN

The General Secretary,
Mining Technical Staff Association,

Godavarikhani, Dist. Karimnagar (A.P.)

....Petitioner

AND

The General Manager,

M/s. Singareni Collieries Company
Limited, RG-I,

Godavarikhani, Dist. Karimnagar (A.P.)

....Respondent

APPEARANCES :

M/s. Pingili Vishweshwar Rao & B.N. Rajayor, Advocates for the Petitioner.

M/s. K. Srinivasa Murthy & G. Sudha, Advocates for the respondent.

AWARD

This is a reference made by the Government of India, Ministry of Labour, under Section 10(1) (d)(2A) of the Industrial Disputes Act, 1947 by its Order No. L-22012/245/93-IR(C.II), dt. 19-1-1994 for adjudication of the industrial dispute annexed in the schedule which reads as follows :—

“Whether the action of the management in not rectifying the anomaly in promotion of S/Sri Merugu Bhoomiah, M. Shankarraiah, G. Komaraiah, A. Rajesham, D. Madhav Reddy, T. Ragotham Reddi, S.R. Ramireddy, V.V.N. Reddy and S. Kanakaiah, shot firers, RG-I Area on par with Sri S. Danial and G. Venkateshwar Rao, Shot Firer ‘C’, S.C.C. Ltd., Godavarikhani is justified and legal? If not, to what relief the workman are entitled to?”

This reference has been registered as Industrial Dispute No. 9 of 1994. Notices were served on both the parties.

2. The petitioner filed his claim statement on 16-3-1994 and the respondent filed his counter on 25-8-1994. For enquiry the matter was adjourned from time to time and finally on 3-5-1995 the petitioner and his counsel called absent. There was no representation for the petitioner. The counsel for the respondent reports ready. The petitioner was set ex parte. The counsel for the respondent submitted that the respondent has no evidence as the petitioner remarked ex parte.

3. Inspite of giving ample opportunities the parties are not interested in disposing the case on merits. The petitioner has not evinced any interest in the matter. Since petitioner is not interested in prosecuting this case. I hold that the petitioner is

not entitled to any relief and the reference is closed.

Award passed.

Typed to my dictation, giving under my hand and the seal of this Tribunal this the 3rd day of May, 1995.

A. HANUMANTHU, Industrial Tribunal-I

नई दिल्ली, 23 जून, 1995

का. आ. 2036.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी.बी.एम.बी. के प्रबन्धतंत्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, चन्डीगढ़ के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 19-6-95 को प्राप्त हुआ था।

[एल-42012/74/92-आई आर (डी यू)]

राजा लाल, डेस्क अधिकारी

New Delhi, the 23rd June, 1995

S.O. 2036.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Chandigarh as shown in the Annexure in the industrial dispute between the employers in relation to the management of B.B.M.B. and their workmen, which was received by the Central Government on the 19-6-95.

[No. L-42012/74/92-IR(DU)]

RAJA LAL, Desk Officer

BEFORE SHRI M. S. SULLAR, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHANDIGARH

Case No. I.D. 107 of 1993

Desvir Vs. BBMB

For the workman—Shri R. K. Singh.

For the management—Shri C. Lal.

AWARD

Dated 5-5-1995

The brief facts relevant for the disposal of the present reference are that petitioner was appointed as skilled mazdoor on daily wages on 1-5-1989 and remained employed with the respondent management till 31-5-1990 when his services were terminated. The petitioner has challenged the action

of the management on the ground of violation of the provisions of Section 25-H of the Industrial Disputes Act, 1947, (hereinafter to be referred to as the Act.)

In the wage of industrial dispute raised by the petitioner, Central Government being appropriate Government vide letter No. L-42012/74/92-IR(DU) dated 9-9-1993 has referred the following dispute to this Tribunal for adjudication :

“Whether the action of the Chief Engineer, Bhakra Dam, Nangal Township, in terminating the services of Shri Deshvir son of Shri Balwant Rai, skilled mazdoor w.e.f. 31-5-90 is legal and justified ? If not, what relief he is entitled to and from what date ?”

The case set up by the management in so far as relevant is that petitioner was engaged as skilled mazdoor on daily wage basis from August 1988 to May 1989. He was again engaged from July 1989 and was served with one month retrenchment notice. According to the management the writ petition No. 8816 of 1989 filed by the petitioner, was dismissed on 15-9-1990 and thereafter the services of the petitioner were retrenched on a short notice of 24 hours owing to completion of work for which the petitioner was engaged. It will not be out of place to mention here that the management has stoutly denied the other allegations of the petitioner.

The management has filed the written statement and ultimately, the case was adjourned for today for filing of replication and affidavit by the petitioner. Instead of filing the replication and affidavit, the rep. of the petitioner has made the following statement :

“I have no instruction to appear on behalf of the petitioner. I tried to contact him many times but in vain.”

In this view of the matter and from the statement of the rep. of the petitioner, it is clear that the petitioner is not interested in prosecuting the present reference petitioner and he has badly failed to substantiate his claim. Consequently, the reference petition is hereby declined for want of evidence. Appropriate Government be informed. Chandigarh.

Camp Talwara.

5-5-1995.

Sd/- (illegible)

Presiding Officer

नई दिल्ली, 26 जून, 1995

का. आ. 2037.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में,

केन्द्रीय सरकार युरेनियम कारपोरेशन आफ इंडिया लि. के प्रबन्धों के संबंध में नियोजक और उनके कर्मचारियों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण (नं. 1), धनबाद के पंचपट को प्रकाशित करती है जो केन्द्रीय सरकार को 26-06-95 को प्राप्त हुआ था।

[संख्या एल-29012/5/93-आईआर (विविक्त)]

बी. एम. डेविड, डेस्क अधिकारी

New Delhi, the 26th June, 1995

S.O. 2037.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal. (No.-I), DHANBAD as shown in the Annexure. In the industrial dispute between the employers in relation to the management of URANIUM CORPORATION OF INDIA LTD. and their workmen, which has received by the Central Government on the 26-6-95.

[L-29012/5/93-IR(MISC)]
B. M. DAVID, Desk Officer.

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO. I, DHANBAD**

In the matter of a reference under section 10(1)(d)(2A) of the Industrial Disputes Act, 1947.

Reference No. 89 of 1993

[Ministry's Order No. L-29012/5/93-IR (Misc)
dated 6-8-83]

PARTIES :

Employers in relation to the management of
Uranium Corporation of India Ltd.,
Jaduguda

AND

Their Workmen

PRESENT :

Shri P. K. Sinha,
Presiding Officer.

APPEARANCES :

For the Employers : Shri P. R. Rakshit, Advocate.
For the Workmen : Shri K. M. Tiwari, Advocate.
State : Bihar. Industry : Uranium.

Dated, the 26th May, 1995

ORDER

Both sides have been heard on the preliminary issue, viz, "Whether or not the domestic enquiry was held fairly and properly."

1657 GI/95—9

2. Ext. M-3 is the charge-sheet dated 30-4-1994 issued against the concerned workman Bamia Purty, Drillman under various provisions under orders 31 and 42 of the Certified Standing Orders. From the descriptions of the charges it will appear that the workman, alongwith others, during the period of "go-slow" (from 18-3-92 to 18-4-92) had drilled about 25 metres a shift whereas the standard norm for drilling was about 50 metres per crew. Because of "go-slow" tactics by the concerned workman there had been reduction in the production and that the workman had continued to adhere to the tactics of "go-slow" though he was persuaded to give normal production.

3. The workman, through Ext. M-4 had replied to the charge-sheet denying the allegations, also stating that during that period he had not drilled less than any other drilling crew. However, through Ext. M-6 a domestic enquiry was ordered against the workman since his reply was not found to be satisfactory. After conclusion of the domestic enquiry, the Enquiry Officer submitted his report (Ext. M-8) upholding the charges after which the management issued order dated 21-9-1992 (Ext. M-9) dismissing Sri Purty from the service of the Corporation with immediate effect.

4. Since the workman in his written statement had also challenged the fairness of the domestic enquiry, that was taken up as preliminary issue for which both sides adduced evidence, oral and documentary.

5. Sri K. M. Tiwari, Advocate, appearing on behalf of the concerned workman has raised a number of points against the fairness of the domestic enquiry. I will deal those points one by one.

6. The first point raised by Sri Tiwari was that the concerned workman was discriminated against arbitrarily in the matter of initiation of the domestic enquiry. Sri Tiwari submitted that from various letters which are part of the disciplinary proceeding, as well from the evidence adduced by the management, it would appear that other drillmen also, besides the proceedee, were involved in low production. He submitted that there were 50 crews, as mentioned in para 13 of the workman's written statement, each crew consisting of a drillman and two helpers. He also submitted that there was no specific charge against the workmen that he had taken a leading part in the alleged incident. Sri Tiwari argued that despite his unblemished career, this workman was picked up out of all those persons and departmental proceeding was started against him in arbitrary manner.

7. The allegation of arbitrariness has been made in para 13 of the written statement of the

workman. In the rejoinder petition of the management against the averments made in the written statement of the concerned workman, in relation to para 13 aforesaid, the management denied that any such discrimination was made claiming that similar action was taken against other workmen also.

8. Even the concerned workman in course of his evidence in the Tribunal has admitted that out of 50 drillmen, four including him were charge-sheeted.

9. Therefore, it is not that this particular workman was singled out alone. Moreover on this ground alone the enquiry cannot be said to have been vitiated. Any management, in case of such agitation, may have administrative reasons not to proceed against the entire body of workmen but to proceed against some of them. However, this is no answer to say that since others also have committed same misconduct, particular person should not be proceeded against for committing that misconduct unless all the others were also proceeded against.

10. The second point raised by Sri Tiwary was that the Manager (Personnel & Administration) was not authorised to issue the chargesheet as also to appoint the Enquiry Officer. Elaborating this Sri Tiwary submitted that under Order No. 41(c)(iii) of the Certified Standing Orders it was only the management which could pass order of any punishment against delinquent employee if on conclusion of the enquiry he was found guilty of the charge framed against him. Sri Tiwary submitted that 'management' has been defined under Order 2(b) of the Certified Standing Orders as follows:—

11. "The 'Management' means the Board of Director of Uranium Corporation of India Ltd. including the Managing Director or any other officer authorised to act in his place or to whom his powers are delegated." Sri Tiwary submitted that neither the Board of Director, nor the Managing Director, had awarded punishment to the workman, as that was awarded by the Manager (Personnel & Administration).

11. Sri P. R. Rakshit, Advocate, appearing on behalf of the management has drawn my attention to Ext. M-1 which is under the signature of the Managing Director which issued Administrative Instruction about the Appointing Authority, Disciplinary Authority and the Appellate Authority in respect of employees whose service conditions were governed under the Certified Standing Orders. The power of Appointing Authority as also of Disciplinary authority by this order vested in Manager (Personnel & Administration). The Managing

Director himself was named the Appellate Authority. Sri Rakshit argued that this way, in terms of Order 2(h) of the C. S. Orders the power of appointing and disciplinary authority had been delegated to the Manager (Personnel & Administration) thereby making the competent authority to issue charge-sheet and to award punishment.

12. Sri Tiwari has argued that there is nothing to show that this delegated power was made by the Board of Director, hence the Managing Director was not empowered to delegate the power.

13. Coming to the degnition of 'Management' it will appear that the Board of Directors, including the Managing Director constituted the management for day to day working of he Corporation. The term 'Management' means both the Board of Directors as well as the Managing Director. Obviously the Managing Director could not as 'Management' which is clear from the definition of 'Management'. It also includes any other officer authorised to act in his place or to whom his (of Managing Director's) powers were delegated. If a delegatee of power of Managing Director could act as 'Management', then it would definitely mean that the Managing Director also could act as 'management'. Therefore, if his powers were delegated as in Ext. M-1 that could be construed to be a proper order of delegation of powers.

14. Sri Tiwari has argued that copies of documents were not provided to the workman which were filed by the Management in the enquiry. He also said that a Chart in Ext. M-2 was completed after conclusion of the enquiry.

15. In the written notes of argument submitted on behalf of the concerned workman, a number of grounds have been taken, but the concerned workman, while giving his evidence, has stated only selected grounds against the fairness of the enquiry. He has stated in examination-in-chief that the Enquiry Officer did not record answers to all the questions asked in the cross-examination. But in the cross-examination he submitted that he did not remember as to which answers were not recorded by the Enquiry Officer. This answer makes the aforesaid allegation to be a vague one. The workman similarly submitted that the Enquiry Officer was junior to the officer who had issued charge-sheet and who had ordered holding of the domestic enquiry. He also submitted that the Enquiry Officer was junior in rank to the Management's representative in the enquiry.

16. Invariably the officer issuing chargesheet or ordering enquiry is a senior officer. He could appoint only a junior officer by his order as Enquiry Officer. In this case the officer issuing the charge-sheet or ordering the domestic enquiry was the Manager (Personnel & Administration) who was, according to Ext. M-1, appointing Authority and

the Disciplinary Authority. Therefore, merely on the ground that the Enquiry Officer was junior to the officer issuing charge-sheet or ordering domestic enquiry will not vitiate domestic enquiry unless it was shown that the Enquiry Officer was in any way influenced by that senior officer. There is no evidence on the record on that account.

17. Similarly if Presiding Officer was senior to the Enquiry Officer, this will not also automatically vitiate the enquiry unless it was shown that the Enquiry Officer was under pressure of the Presenting Officer. There is nothing on the record to suggest this.

18. Connected with this question is the argument of Sri Tiwary that the Presenting Officer could not have been a witness in the enquiry, particularly when he was a superior officer for which Sri Tiwary has relied upon a decision reported in 1990 I.C.L.R. 299 (Anil Kr. Ghosh Vs. Union of India) which is a decision of the Hon'ble High Court at Calcutta. Sri Tiwary has not filed photo copy of the entire judgement but from the summary it appears that the Presenting Officer (Sri D. K. Guha) was also Investigating Officer which fact was known to the authorities including the Enquiring Authorities, even then the Disciplinary Authority had appointed Sri D. K. Guha to act as Presenting Officer with a view to enable Enquiring Authority to secure reception of the documents from Sri Guha as evidence, in complete breach of Rule 14(2)(ii)(b) of the Rules.

19. But here no such rule has been shown to me which could preclude the Presenting Officer to be a witness.

From the record of the domestic enquiry, dated 11-5-92 it would appear that Sri D. Acharya, Mines Manager at Jaduguda Mines had stated before the Enquiry Officer that he had filed a report on 'go-slow' to the management, hence he should be examined first and, thereafter, he would assume the role of Presenting Officer. The Enquiry Officer allowed his request. There does not appear to be any objection on the part of the concerned workman or his assisting officer. Moreover, it will appear that the management had examined three other witnesses also, and evidence of the management was not confined to the evidence of Sri Acharya alone. Therefore, I don't think that on this score the enquiry can be held to have been vitiated.

20. The concerned workman in his evidence had also stated that Sri Patnaik was not empowered to issue charge-sheet or to appoint the Enquiry Officer or to order his dismissal. I have discussed this point earlier.

21. The concerned workman also complained in his evidence before the Tribunal that he was

not given copies of the documents filed by the management. But in his cross-examination he submitted that in course of enquiry he had not demanded the copies of the management's documents in writing, though he had asked for that verbally. The management gave him a suggestion that even orally he had made no such demand which suggestion, of course, was denied by the witness.

22. I have not come across any rule or law nor any was brought to my notice which provided that in course of enquiry the delinquent workman has to be provided with a copy of those documents which have been filed by the management in his presence and which have been admitted into evidence by the Enquiry Officer. It is true that the Enquiry Officer has to provide opportunity to the proceesee, or his assisting officer, to go through the documents in course of enquiry, if so demanded. From the record of the domestic enquiry it appears that the concerned workman had made some other requests in writing on which the Enquiry Officer had passed orders. When the oral request of the concerned workman for copy of the document was denied then the workman or his assisting officer were free to make such demand in writing, which they have not done. In such circumstances I don't feel that on this ground the domestic enquiry can be held to have been vitiated. The concerned workman also has complained that he was not given copy of the enquiry report, which point I will consider later.

23. Sri Tiwary in course of his argument has drawn my attention to Ext. M-2, so marked by the Tribunal, which was on the record of the domestic enquiry. Sri Tiwary argued that this document was not brought on the record in course of domestic enquiry but it was prepared later and inserted into the record, hence this vitiated the enquiry.

24. Sri Rakshit appearing on behalf of the management argued that this was a chart prepared by the Enquiry Officer himself out of "Incentive Chart" provided by the management to show the work done by drillmen during the period of 15-4-92 to 9-5-92.

25. This Ext. M-2 is in two pages but it does not appear that they are part of the same document because in the first page the chart shows three sections, pertaining to A, B and C shift allocations. But the second page does not give similar information nor this contains as many columns as in page-1. There is signature of the Enquiry Officer on both the pages but whereas does not indicate any particular date, page-2 indicates the date 21-7-92, obviously after the enquiry was completed.

26. Coming to Ext. M-8 which is report of the Enquiry Officer, it has been mentioned at page

12 of the report that Sri S. P. Singh, Assisting Officer (of the workman) had requested on 12-5-92 for the performance report of the drillman for the period 15-4-92 to 10-5-92. The Presenting Officer placed the daily incentive sheet for mining job, on 14-5-92 in which individual crew's drilling meterage was recorded. The Enquiry Officer further observed that as those sheets were prepared in single copy and were required for incentive calculation, Sri Acharya submitted that those sheets could not be marked exhibit and should be returned after verifying the figures. The Enquiry Officer further mentioned that Sri S. P. Singh while going through Data Sheets had explained his inability to understand that, hence he prepared a statement from Data-sheet for the period 15-4-92 to 9-5-92 (10-5-92 being Sunday). This statement was shown to Sri S. P. Singh on 19-5-92 and explained to him on which Sri Singh was satisfied with the drilling Data records.

27. It will appear from the proceeding at page 12 that it was mentioned that Sri Acharya had submitted incentive-sheet for the aforesaid period in accordance with the request of the Assisting Officer in the last session. It has been mentioned at page 25 of the proceeding dated 19-5-92, that Sri S. P. Singh had requested time for clarification regarding incentive-sheet and the Presenting Officer had agreed to clarify such particulars.

28. It does not appear from the report of the Enquiry Officer that he had put reliance on the second page of Ext. M2. The position regarding the first page has been explained in the report of the enquiry. It is also clear from the proceeding of the enquiry that the incentive sheets were placed and perused at least by the Assisting Officer of the concerned workman. Therefore a preparation of summary of incentive chart by the Enquiry Officer will not appear to have prejudiced the concerned workman, particularly when for the similar matter the Enquiry Officer appears to have relied upon mainly on other evidence.

29. Sri Tiwary in his written notes of argument has mentioned that preparation of that Chart showed bias on the part of the Enquiry Officer. Under the aforesaid circumstances, I am unable to agree.

30. Sri Tiwary further argued that the biasness of the Enquiry Officer will be clear from the fact that he had allowed the management to adduce evidence to show that the concerned workman took leading part in the "slow-down" agitation though this fact was not mentioned in the charge-sheet. He also submitted that sickness of the concerned workman during the period, for which evidence was brought on the record, had not been considered by the Enquiry Officer.

31. But I am unable to agree with Sri Tiwary on the first point. The charge-sheet clearly stated that the concerned workman, by doing less work during a particular period, had reduced the production of the Corporation. This is the main charge against the concerned workman and the fact as to whether or not he took a leading part in the agitation is incidental one. So far the allegation that the Enquiry Officer did not consider the sickness of the concerned workman, this point I shall discuss later. For the purpose of this preliminary issue the Tribunal only has to see as to whether or not the Enquiry Officer has discussed the evidence on the record. From the report I find that the Enquiry Officer by and large has discussed the evidence on the record. Therefore the point as to whether or not his conclusion was correct or that he should have considered a particular point are the fact which could be considered at the time of hearing of the reference on merits. Such action on the part of the Enquiry Officer does not necessarily show his bias.

32. Lastly Sri Tiwary argued before me that the concerned workman was not given a copy of the enquiry report hence the enquiry and punishment were vitiated since the ratio laid down by the Hon'ble Supreme Court in the case of Union of India Vs. Md. Ramjan Khan (1991 S.C.C. (L&S) 612) directly applied to the facts of this case.

33. However, it was also pointed out that in the decision of the Hon'ble Supreme Court in the case of Managing Director, E.C.I.L., Hyderabad and others Vs. B. Karunakar and others (1993 S.C.C. (L&S) 1184) it was observed that in such cases the Courts or Tribunals should not resort to short-cut and order reinstatement of the workman as a matter of course. Their Lordships of Hon'ble Supreme Court directed that in all such cases the Courts or Tribunals should cause the copy of the report to be given to the concerned employee if he has not already secured it before coming to the Court/Tribunal and give the employee an opportunity to show how his/her case was prejudiced because of non-supply of the report. Their Lordships further observed that after hearing the parties if the Court/Tribunal comes to the conclusion that non-supply of the report would have made no difference to the ultimate findings and punishment given, the Court/Tribunal should not interfere with the order of punishment.

34. When this point was raised, I asked Sri Tiwary as to whether the copy of the report of the Enquiry Officer had been furnished to the workman. He submitted that the copy was furnished to him by the mgt. after raising dispute, but not before the punishment was awarded. I then asked Sri Tiwary to show as to how the workman was prejudiced because of non-supply of the re-

port. Sri Tiwary submitted that he had nothing to argue on this point beyond what has already been submitted in writing in the shape of written notes of arguments about the validity of the domestic enquiry.

35. I find from his written notes of argument that he has mentioned both the cases, i.e., of Md. Ramjan Khan's and of E.C.I.L. (supra). In the written statement it has been mentioned that had the workman been given a copy of the report of the Enquiry Officer before awarding punishment he could have submitted the following points before the disciplinary authority.

(i) That the workman was discriminated upon since only he and three others had been picked up or disciplinary action when all the drillmen are said to have adopted "go-slow" tactics during the period;

(ii) That though there was no charge of the workman taking any leading part in inciting or organising other drillmen for the agitation, the Enquiry Officer had allowed the management to give evidence on that point and also gave a finding to that effect;

(iii) That it has not been shown as to from where the inference was drawn that the concerned workman had leadership qualities and why the Enquiry Officer disbelieved the statement of the concerned workman that he had spoken to all the drillmen to increase the production.

(iv) That though the Certified Standing Orders (Ext. M-5) does not clarify the misconduct into categories of major and minor, still the Enquiry Officer held in the report that the misconduct was serious.

(v) That the reasons given by the workman in the enquiry for low production during the period has not at all been considered by the Enquiry Officer nor he has given any reason for rejecting the evidence of the workman.

(vi) That the Enquiry Officer as well witnesses of the management were subordinate to the management's representative hence they could not act fairly.

(vii) That the workman had long years of unblemished service and was a poor Adivasi.

(viii) That even the Enquiry Officer had held that there was nexus between non-implementation of agreement in respect of L.T.C. causing dissatisfaction amongst the drillmen and their helpers which also had contributed to lower production besides other reasons.

(ix) That the finding of the Enquiry Officer was perverse.

(x) That the workman was middle aged person, having a large family to feed and even if he was found guilty, a reformatory approach in giving punishment should have been adopted.

36. I will examine these reasons to come to a conclusion as to whether or not the workman was prejudiced by the non-supply of the copy of the Enquiry report which is the second issue under consideration vide order dt. 3-4-95. I have found it desirable to decide this issue before finally hearing the reference on merit because if the workman could establish that in any way he was prejudiced then the punishment would have to be set aside and the workman would have to be ordered to be reinstated and further action by the management would have to be taken in accordance with the decision of the Hon'ble Supreme Court in the case of Managing Director, E.C.I.L. (supra) and in such case the hearing on merit would have been redundant.

37. I have noticed above as to what points the concerned workman would have placed before the Disciplinary Authority for defending himself against the finding of the Enquiry Officer. Obviously in this case the Disciplinary Authority was not the Enquiry Officer hence the concerned workman had to be supplied with a copy of the enquiry report so that he might have been given opportunity to defend himself against the findings of the Enquiry Officer.

38. Out of the points projected on behalf of the concerned workman certain points I have already discussed like point nos. (i), (ii) and (vi). Point no. (vii) and (x) are pleadings for mercy which could be considered at the stage of awarding punishment. But obviously the workman was not required to plead against the punishment before the Disciplinary Authority because the Enquiry Officer in his report had not suggested any punishment. The workman was to avail the opportunity for the purpose of placing his defence against the findings of the Enquiry Officer in his report.

39. I find much substance in the argument of Sri Tiwary that the defence of the concerned workman explaining low production by him was not properly considered by the Enquiry Officer. The workman's case was, as would appear from his written statement (Ext. WE-2 marked by the Enquiry Officer) which was allowed to be treated by the Enquiry Officer as his statement in the enquiry, that during the concerned period he was physically weak and was unable to give full performance since sometime back he had suffered from chicken pox for which he was treated at UCIL Hospital, as well by the doctor at Kulamara Health Sub-Centre who had treated him upto 5-5-92. The workman also had submitted photo copies of his prescription issued by the Medical Department at

Uranium Corporation of India Ltd., Juduguda which had started the treatment of the concerned workman from 17-1-92 for chicken pox. It will appear that last time the medicines were prescribed was sometime in the month of April, 1992. The date though appears to be "10", but it is not very clear. The workman also had submitted a medical certificate granted by one Dr. A. P. Singh, Civil Asstt. Surgeon Musabani. According to him Bamia Purty was under his treatment from 5-2-92 for small pox and was examined by him at Kulamara Centre. This certificate is dated 5-5-92.

40. The workman was cross-examined by the management's representative on this point also where he stated that he had reported for duty after his illness and had informed Sri C. P. Verma, Senior Personnel Officer and Sri G. Moitra, Level Incharge to allocate him light work and he was given light duty for about a month. Sri Tiwary pointed out that in the cross-examination Sri G. Moitra, in reply to question no. 33 had admitted that a few months back the concerned workman had come to him and requested to be relieved from drilling duty because he was suffering from pox for which he had given the workman light duty for about a month.

41. At pages 11 and 12 of his report (Ext. M-8) the Enquiry Officer has discussed the defence of the witness. But he has discussed this point only cursorily and has jumped at the conclusion that the workman had obtained a medical certificate from Civil Asstt. Surgeon as an afterthought. No doubt, he had rightly noticed that the diagnosis was contradictory because the official doctor had treated him for chicken pox whereas the certificate of this doctor was for small pox. But even from the prescription of the Doctor of the Corporation it would appear that his treatment had travelled upto April, 1992 and workman was issued medicines. Therefore, Sri Tiwary has a point here when he submits that the concerned workman had substantial point to argue against the finding of the Enquiry Officer, before the Disciplinary Authority.

42. I may add here that my observation here may not be taken as acceptable justification for the concerned workman "going-slow" during the concerned period. All I mean to say that had the concerned workman was given an opportunity, he had an arguable point to place before the Disciplinary Authority against the finding of the Enquiry Officer. It would have entirely been open to the Disciplinary Officer to accept or reject the contention of the concerned workman after carefully considering the materials on the record and the defence of the concerned workman.

43. It has further been argued that to substantiate this defence the workman could also have pointed out that even the management's witness

had admitted that the previous conduct of the concerned workman was exemplary and he used to lend his support to the management to overcome any problem. It has been submitted that considered with such back ground there was every possibility for the Disciplinary Officer to accept the plea of the concerned workman that there was no reason to disbelieve his defence that during the concerned period he could not work hard because of his weakness, considering his medical history.

44. This being the main defence of the concerned workman against the charges, cogent reasons should have been assigned before dismissing the defence. For the aforesaid reasons I find that the concerned workman had been prejudiced because of non-supply of copy of the enquiry report to him, before the Disciplinary Authority considered that report and made up his mind about the punishment.

45. I am not discussing other points raised on behalf of the concerned workman which might have, if the workman was given opportunity to represent against the enquiry report, made the Disciplinary Officer inclined to award a lesser punishment to the concerned workman even if he was convinced that the concerned workman was guilty of the charges or some of the charges levelled against him. It has been argued that admittedly all the Drillmen had given low out-turn during the period but only handful were selected for punishment, and that according to the evidence on the record this particular workman had always been helpful to the management in resolving the dispute and in over-coming difficulties. However, if the workman was given such opportunity he might have taken up those points also though those related mainly to the quantum of punishment to be awarded.

46. In the result I find that furnishing of the copy of the report to the concerned workman could have made a difference to the result in the case. Therefore, I hereby set aside the order of punishment and direct reinstatement of the concerned workman with liberty to the management to proceed with the enquiry, if it so desires, by placing the employee under suspension and continuing the enquiry from the stage of furnishing the concerned workman with the report. The question of back wages shall be decided by the management in accordance with the decision of Hon'ble Supreme Court in the case of Managing Director, E.C.I.L. (supra), if the concerned workman succeeds in the fresh enquiry.

47. This order may be treated as award in this reference and the copies of the same be sent to the Ministry of Labour.

P. K. SINHA, Presiding Officer

नई दिल्ली, 26 जून, 1995

का. अा. 2038.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार टेलीकॉम डिस्ट्रिक्ट इंजिनियर के प्रबन्धन क्षेत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, बम्बई नं. 2 के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 23-6-95 को प्राप्त हुआ था।

[संख्याएल-40012/147/89-आई आर (डी यू)]

के. वी. बी. उन्नी, डेस्क अधिकारी

New Delhi, the 26th June, 1995

S.O. 2038.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Bombay No. 2 as shown in the Annexure, in the Industrial dispute between the employers in relation to the management of Telecom District Engineer and their workmen, which was received by the Central Government on 23-6-95.

[No. 40012/147/89-IR(DU)]

K. V. B. UNNY, Desk Officer

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, BOMBAY PRESENT :

Shri S. B. Panse, Presiding Officer

Reference No. CGIT-2/17 of 1990

Employers in relation to the management of Telecom District Engineer, Nanded.

AND

Their Workmen

APPEARANCES :

For the Employer : No appearance

For the Workmen : Mr. M.B. Vichare, Representative.

Bombay, dated 12th of June, 1995

AWARD

The Government of India Ministry of Labour by its letter No. L-40012/147/89-IR(DU) dt. 13-8-90 had referred to the following industrial dispute for adjudication.

SCHEDULE

"Whether the action of Telecom District Engineer Nanded in terminating the services of Shri Asgar Khan Rehman Khan casual labour is justified. If not, to what relief the workman concerned is entitled to ?"

2. The workman Asgar Khan Rehman Khan contended that in April 1976 he was appointed as a casual mazdoor on daily rated basis. He pleaded that he was paid on daily rated basis and payment was made every month. He submitted that he com-

pleted 240 days in the year 1976, 1977 & 1978. Thereafter in November 1982 without any reason or a cause he was given a break in the service. It is aver that other casual labourers were engaged during his break period. He pleaded that he worked for more than 1205 days till July 1982.

3. The workman submitted that number of casual mazdoors who have been given a regular service of department of Telecom Maharashtra Circle by the Aurangabad and the said employer also. It is aver that his termination being illegal he may be reinstated in service with full back wages and continued.

4. The management by their written statement Ex. '5' resisted the claim. It is aver that the workman is not entitled to file present claim. It is aver that the claim is not tenable in law. It is submitted that the workman himself stopped coming to work after November, 1982. It is denied that the termination of a workman is an illegal retrenchment. It is submitted that the action which is taken by the management is justified and the worker is not entitled to any reliefs as claimed.

5. The worker filed his rejoinder at Ex. '6' and re-assert the contention taken by him in a statement of claim.

6. My Learned predecessor framed issues at Ex. '8'. The issues and my findings thereon are as follows:—

ISSUES	FINDINGS
1. Whether the workman Asgar Khan Rahman Khan is competent to file the present statement of claim ?	Yes
2. Whether the said workmen's claim is question is tenable in law ?	Yes
3. Whether the workman himself stopped attending to his duties after November 1982 ?	No
4. Whether the Employer illegally retrenched the said workman from service ?	Yes
5. Whether the action of Telecom Distt. Engineer, Nanded in terminating the services of Shri Asgar Khan Rahman Khan, casual labour is justified ?	Not justified.
6. If not, what relief the workman concerned is entitled to ?	As per final order.
7. What Award ?	As per final order.

REASONS :

7. This reference is of the year 1990. The representative of the workman submitted that on two occasions the representatives of the management who attended the Court submitted that they are ready to reinstate the workman but no back-wages will be given. A purshis to that effect was prepared on 10-6-1993. Today he produced it alongwith an endorsement of today's date. While producing these purshis he re-affirmed he is not claiming any back wages.

8. Asgar Khan Rahman Khan had filed his Affidavit at Ex. '27' and affirmed that from April 1976 to November 1982 he worked for 1205 days without any break. He paid regular monthly salary. He affirmed that he was not a junior most casual labour in Nanded Telecom District and there were so many other casual labourers at the time of his illegal retrenchment who were quite junior to him. He re-affirmed that even though he was removed from the service other casual labourers continued in the employment. He claims reinstatement with full back wages and continuity in service. It is pertinent to note that the representatives of the management remained absent on the earlier occasions such representatives remained absent there were no cross-examination. Today also the representative remained absent and a telegram was sent. I do not find any justification for the same. It can be seen that even after filing the affidavit of the workman I have suo moto to adjourn the matter to accommodate the management for cross-examining the witnesses the adduced the evidence but they fail to do so. I must mention it here that on 6th of April, 1995 I have made an endorsement below the affidavit that the management and representative absent and directed the workman to remain present for cross-examination if the management is ready to do so. The workman was present on last occasion and today also. As the statement of the workman goes unchallenged. I do not find any reason for not accepting the same. He was allowed to appear for re-examination. It is tried to submit that he has completed 240 days in a year. Not only that a settlement dt. 10-6-93 also suggest the views of the management. For all these reasons I record my findings on the issues accordingly and pass the following order.

ORDER

1. The action of the Telecom District Engineer, Nanded in terminating the services of Shri Asgar Khan Rahman Khan is not justified.

2. The management is directed to reinstate the worker Asgar Khan Rahman Khan within a month from today.

3. The management is further directed to hold him continue in service from the date of his terminating but he is not entitled to any back wages, notional increments and other monetary reliefs of any sort.

4. No order as to cost.

S. B. PANSE, Presiding Officer

नई दिल्ली, 26 जून, 1995

का. अा 2039.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पंजाब नेशनल बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट, औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 26-6-95 को प्राप्त हुआ था।

[संख्या एन-12012/194/89/डी II ए/आई आर (बी-2)]

बी. के. शर्मा, डेस्क अधिकारी

New Delhi, the 26th June, 1995

S.O. 2039.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Punjab National Bank and their workmen, which was received by the Central Government on 26-6-95.

[No. L-12012/194/89-D.II.A/IR(B-II)]

V. K. SHARMA,, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA, PRESIDING OFFICER CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT PANDU NAGAR, DEOKI PALACE ROAD

KANPUR

Industrial Dispute No. 200 of 1989

In the matter of dispute between :

Awadhesh Kumar Bajpai,
through Raj Kumar Tewari,
5/39 Rishi Nagar,
Shukla Ganj,

Unnao.

AND

Regional Manager,
Punjab National Bank,
Mall Road,
Kanpur.

AWARD

1. Central Government, Ministry of Labour, New Delhi, vide its notification No. L-12012/194/89-D2(A) dated 21-8-89, has referred the following dispute for adjudication to this Tribunal :—

Whether the demand of Sri Awdhesh Kumar Bajpai alias Pappu, Ex. Sub Staff at Stationery Cell Juhi Kanpur of Punjab National Bank to reinstate him in service w.e.f. 1-3-88, with full back wages is justified ? If not, to what relief is the workman entitled ?

2. The concerned workman Awdhesh Kumar Bajpai in his written statement has alleged that in perpetration of unfair labour practice the employer Punjab National Bank had given him designation of labour in order dt. 7-1-87, but actually he was deputed to work the duty of a peon at stationery cell Juhi, Kanpur. As he was being paid much less than what was payable to him as wages, he made a demand for the same. The employer were annoyed by this demand. Hence they illegally terminated on 29-8-88. This termination order is illegal because the concerned workman was not paid one month's notice pay and retrenchment compensation. Apart from the principles of First Come Last go was also not adopted.

3. The bank in its written statement in one breath have denied that the workman was ever employed by them while in the second breath it is alleged that the workman had worked as casual labour for only 53 days. Since he had not completed 240 days in a year, he had no right under sec. 25 I.D. Act. It was further alleged that the AM(Tech.) had no authority to such appointment as such the workman cannot be said to be the employee of the bank.

4. Both parties have filed rejoinder but there is nothing new in it.

5. From the foregoing pleadings following points need to be determined :—

1. Whether the workman was the employee of the Bank ? If so, had he completed 240 days in a year ?
2. Whether the services of the workman have been terminated ? If so, is this act on the part of Bank is illegal & invalid ?
3. Whether the principle of First Come Last Go have been violated ?

6. The first point will be taken up first. In support of his claim the workman has filed as annexure (1) copy of order dt. 7-1-87 by which the AM (Tech.) had asked one B. R. Yadav to take work from him as a labour w.e.f. 8-1-87 from 10 a.m. Annexure (2) is the copy of application of the workman for wages of 5 days from 27-1-87 to 31-1-87, amounting to Rs. 40 @ Rs. 8 per day,

while annexure (4) is the verification showing the number of days worked in Jan. 88 and Feb. 88. There are photo prints of some photograph which to my mind are not relevant at all. Apart from this the workman has filed his affidavit as Awdhesh Kumar Bajpai and he has further been cross examined. In his evidence Awdhesh Kumar Bajpai has sworn that he is working as Chaprasi w.e.f. 7-1-87 and he worked upto 29-2-88 continuously but he was not paid due wages. When he made a demand for it he was sat. Proceeding further he has sworn that he used to pack the goods and articles of stationery and used to get its bulity prepared. Further he performed those duties as well which were being taken from other peons.

7. In his cross examination he has stated that he was appointed on the post of peon. Regarding the nature of work he has stated that he used to carry registers from one desk to another and supply water on demand to employees of the bank. Once again he has categorically stated that he had worked from 7-1-88 to. He used to get Rs. 300 per month. He used to sign vouchers in receipt of money. He has also proved annexures 3 and 4 bearing the signatures of Shambhu Nath Pandey. Rest of his cross examination relates to photographs. Here it may also be mentioned that the workman has made a request to the Tribunal on 28-7-92 for summoning of application give by him for verification and payment of wages from May 1987 to Feb. 1988. Instead of directing these papers to be filed my learned predecessor had asked both the parties to get joint inspection note prepared. Later on the workman informed that because of noncooperative attitude of the employer this joint inspection note could not be prepared. This fact remains that the papers sought for by the workman are not available.

8. In rebuttal of this evidence the bank has examined its officer S. N. Pandey. He has filed his affidavit in which he has sworn that there was no employee in the bank bearing the name of Awdhesh Kumar Bajpai. He evasively denied the vouchers which were filed by the workman.

9. In his cross examination, the witness was specifically asked to state if annexure 2 filed by workman bore his signature or not. He categorically stated that it is not so. However, he was not sure whether annexure 3 and 4 bore his signatures or not. He has admitted that one wing of Stationery Cell is in Juhi while the other is in Birhana Road. Rest of his cross examination relates to photographs.

10. From the above review of oral evidence it will be seen that the concerned workman Awdhesh Kumar Bajpai and his witness has categorically stated that annexure III and IV bills of wages were presented by him and which were passed by the officers of the employer bank. The employers witness S. N. Pandey has not categorically denied that

these bills do not bears the signatures of any officer of the bank. Hence, I have no hesitation in accepting the definite evidence of the concerned workman that these bills dt. 1-2-88 and 1-3-88 were passed by the bank officers. Unless and until the concerned workman would not have worked in the employer bank he would not have received these wages. Apart from this in the written statement bank has alleged that the concerned workman has worked only for 53 days. It shows admission of Employer that the concerned workman had actually worked with the employer bank. As regards the number of days for which the concerned workman is said to have worked it is the definite statement of concerned workman that he had worked from 7-1-87 to 29-2-88. There is no rebuttal of this statement. Further in my opinion, the employer bank could have proved the number of days by filling the vouchers which they have not done. Even the attempt made by the concerned workman to get them filed were also thwarted. Under these circumstances, the concerned workman could not produced more evidence than what of his oral one. As there is no proper rebuttal of these evidence I accept it and held that the concerned workman had worked for more than 240 days in a year by continuously working from 7-1-87 to 29-2-88.

11. An attempt was made to show that neither AM(Tech) nor B. R. Yadav were authorised to employ the concerned workman. Hence the appointment of the concerned workman is bad in law. I do not find any force in the contention no attempt was made to show that these persons were not authorised to make appointments. In any case if an appointment is made by officer who is not authorised it will not be invalid but it will be irregular. It will not adversely affect the appointment of the workman or vitiate the appointment. It is also not borne out that if these two persons have made so called illegal appointment what action was taken against them. Hence as said earlier the appointment of concerned workman cannot be vitiated on this score.

12. In the end issue No. 1 is decided in favour of the workman and against the employer in entirety.

13. Issue No. 2.—Once again Awadhesh Kumar Bajpai has filed his affidavit swearing that his services were terminated on 29-2-88. There is no rebuttal of this evidence. Hence I accept it and hold that the services of the concerned workman were terminated on 29-2-88. It has already been held that the concerned workman has completed more than 240 days in a year as such provisions of section 25F I.D. Act are application to the facts of the present case. Admittedly notice pay and retrenchment compensation has been paid to him. Hence the provisions of section 25F I.D. Act have been breached. In this way oral termination of the concerned workman is bad in law.

14. Issue No. 3.—No evidence worth the name has been adduced by the concerned workman to prove the fact that juniors to him have been retained in service while he was retrenched. It has also not been proved that any new hand has been taken in service subsequently. Hence it is held that termination is not bad because of violation of section 25G and 25H of the Industrial Disputes Act.

15. As it has been held that the service of concerned workman is bad in law, he is entitled for reinstatement. The concerned workman will also be entitled for back wages as it has not been proved that he was gainfully employed elsewhere, since the date of his termination. The concerned workman shall also get Rs. 200 as costs of the case.

16. Reference is answered accordingly.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 26 जून, 1995

का. आ. 2040.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार केनरा बैंक के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार की 26-6-95 को प्राप्त हुआ था।

[संख्याएल-12012/201/93/आई. आर. (बी.-2)
बी. के. शर्मा, डेस्क अधिकारी

New Delhi, the 26th June, 1995

S.O. 2040.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Canara Bank and their workmen, which was received by the Central Government on 26-6-1995.

[No. L-12012/201/93-IR(B-II)]

V. K. SHARMA, Desk Officer
ANNEXURE

BEFORE SRI B. K. SRIVASTAVA PRESIDING
OFFICER CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT,
PANDU NAGAR, DEOKI PALACE ROAD
KANPUR

Industrial Dispute No. 10 of 1994

In the matter of dispute between :

P. N. Shukla,
C/o B. P. Saxena,

127/191 W-1, Saket Nagar,
Kanpur.

AND

Deputy General Manager,
Circle Office,
Canara Bank,
Lucknow.

AWARD

1. Central Government, Ministry of Labour, vide its Notification No. L-12012/201/93-I.R. B-2 dated 14-2-1994, has referred the following dispute for adjudication to this tribunal—

Whether the action of the management of Canara Bank, Lucknow in dismissing Sri P. N. Shukla, Peon from service with effect from 26-2-91 is justified? If not, what relief is the workman entitled to?

2. In the instant case none appeared from the side of the workman nor claim statement was filed despite availing of sufficient opportunity. Ultimately when the case was taken up for hearing on 1-6-95 again workman absented.

3. In the circumstances of the case the Tribunal has no option but to hold that the workman is not interested in prosecuting his case. I, therefore, hold that the action of the management of Canara Bank, Lucknow in dismissing the concerned workman P. N. Shukla w.e.f. 26-2-91 is justified and the concerned workman is entitled to no relief.

4. Reference is answered accordingly.

B.K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 26 जून, 1995

का. आ. 2041.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, न्यू बैंक ऑफ इंडिया (पी. एन. बी.) के प्रबंधन के संबंधित नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 26-6-95 को प्राप्त हुआ था।

[संख्या एल-12012/46/94-आई. आर. (बी.-2)]
बी. के. शर्मा, डेस्क अधिकारी

New Delhi, the 26th March, 1995

S.O. 2041.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the Industrial

Dispute between the employers in relation to the management of New Bank of India (PNB) and their workmen, which was received by the Central Government on 26-6-1995.

[No. L-12012/46/93-IR(B-II)]
V. K. SHARMA, Desk Officer

BEFORE SRI B. K. SRIVASTAVA PRESIDING
OFFICER CENTRAL GOVERNMENT INDUS-
TRIAL TRIBUNAL-CUM-LABOUR COURT,
PANDU NAGAR, DEOKI PALACE ROAD,

KANPUR

Industrial Dispute No. 66 of 1993

In the matter of dispute between :
Assistant General Secretary,
New Bank of India Employees Union,
195/1 Dania Gate ke Bahar,
Jhansi.

AND

Regional Manager,
New Bank of India,
94 M G Marg,
Lucknow-226001.

AWARD

1. Central Government, Ministry of Labour, vide its Notification No. L-12012/46/93-IR B-II dated 1-9-93 has referred the following dispute for adjudication to this Tribunal—

Whether the action of the management of New Bank of India represented through branch Manager Jhansi City Regional Manager, Lucknow and Asstt. General Manager (P) New Delhi in punishing Sri Rajendra Prasad Clerk-cum-Cashier and Sri Dinesh Kumar Peon of Jhansi City Branch with the punishment of warning as well as wage cut for 29-4-91 are justified. If not, what other relief the workmen are entitled to?

2. In the instant case, the Union despite issue of notices from the Tribunal did not care either to file the statement to claim for to put appearance in the case. The reference order was received by the Tribunal on 6-9-93 and since then the case is lingering on for one reason or the other. Ultimately the case was taken up for hearing on 29-5-95, but again none appeared from the side of the Union nor statement of claim was filed.

3. Thus in view of the facts and circumstances stated above, I am inclined to believe that neither the workman nor the Union is interested in prosecuting the case.

4. As such it is held that neither the Union nor the concerned workmen are entitled to any relief, the action of the Bank is justified.

5. Reference is answered accordingly.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 26 जून, 1995

का. आ. 2042.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार देना बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निहित औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार का 26-6-95 को प्राप्त हुआ था।

[संख्या एल-12012/303/94/आई.आर. (बी.-2)]

बी. के. शर्मा, डेस्क अधिकारी

New Delhi, the 26th June, 1995

S.O. 2042.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the industrial dispute between the employers in relation to the management of DENA BANK and their workmen, which was received by the Central Government on 26-6-95.

[No. L-12012/303/94-IR(B.II)]
V. K. SHARMA, Desk Officer

BEFORE SRI B.K. SRIVASTAVA PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, PANDU NAGAR, DEOKI PALACE ROAD, KANPUR

Industrial Dispute No. 10 of 1995

In the matter of dispute between
Secretary

Dena Bank Staff Association (UP)
C/o Dena Bank Delhi Gate Hariparwat
Agra.

AND

Regional Manager Dena Bank
Regional Office 28-A Vidhan Sabha Marg,
Lucknow.

AWARD

1. Central Government, Ministry of Labour vide its notification No. L-12012/303/94-I.R.B-2 dated 3-1-1995, has referred the following dispute for adjudication to this Tribunal—

Whether the action of the management of Dena Bank, Lucknow in terminating the services of Sri Chhuttan Lal Meena, casual workman w.e.f. 24-5-89 is legal and justified? If not, what relief is the said workman entitled to?

2. In the instant case on 8-3-95 one Kamlesh Kumar Singh, appeared on behalf of the union as authorised representative, without filing any letter of authority in his favour from the union raising the present industrial dispute and moved an application for adjournment. Since the Presiding Officer was on tour as such the case was adjourned to 20-4-95 for filing of statement of claim again on 20-4-95 said Kamlesh Kumar Singh appeared in the case with application to adjourn the case. The case was adjourn to 22-5-95 for filing of statement of claim in the case as last opportunity.

3. On 22-5-95 when the case was taken for hearing instead of filing of statement of claim on behalf of the union application for adjournment was moved which was rejected.

4. From the above conduct of the Union/workman, it appears that neither the union nor the concerned workman is interested in prosecuting the case. I am therefore inclined to hold that the workman/union is entitled to no relief for want of claim. It is also held that the action of the management in terminating the services of the concerned workman is justified.

5. Reference is answered accordingly.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 26 जून, 1995

का. आ. 2043.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार जनरल मैनैजर मिंट के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निहित औद्योगिक विवाद में औद्योगिक अधिकरण, हैदराबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 23-6-95 को प्राप्त हुआ था।

[संख्या एल-16012/8/93-आई.आर. (डी यू)]

के. श्री. बी. उन्नी, डेस्क अधिकारी

New Delhi, the 26th June, 1995

S.O. 2043.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Hyderabad as shown in the Annexure, in the Industrial dispute between the employers in relation to the management of Govt. of India Mint and their

workmen which was received by the Central Government on 23-6-95.

[No. L-16012/8/93-IR(DU)]

K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL-I AT
HYDERABAD

PRESENT :

Sri A. Hanumanthu, M.A., LL.B., Industrial
Tribunal-I.

Dated : 5th day of May, 1995

Industrial Dispute No. 39 of 1995

BETWEEN :

Sri V. Venkateswarlu,
H. No. 23-5-322, Inside Lal Darwaza,
Shalibanda, Hyderabad. . . PETITIONER

AND

General Manager, Government of India,
Mint, Hyderabad. RESPONDENT

APPEARANCES :

Sri P. Damodar Reddy, Advocate—for Res-
pondent.

Petitioner set exparte.

AWARD

This is a reference made by the Government of India, Ministry of Labour under Section 10(1)(d) & (2A) of the Industrial Disputes Act, 1947 by its Order No. L-16012/8/93, dt. 17-1-1995 for adjudication of the Industrial Dispute annexed in the schedule which reads as follows :

“How far the action of the management of India Government Mint, Hyderabad represented by their General Manager in terminating the service of Sri C. P. Venkateswarlu, Casual Clerk who has worked on Multifunctional job is right while regularising the services of Sri T. V. K. Srinivasan who was selected along with the workman in dispute as Casual Clerk? If not, to what relief of the workman in dispute is entitled for?”

This reference has been registered as Industrial Dispute No. 39 of 1995. Both parties were served with notices.

2. The Petitioner failed to appear and file his claim statement inspite of notice and he was set exparte on 27-3-1995. On 5-5-1995 the Advocate for the Respondent submitted that the Respondent has no counter to file as the Petitioner remained exparte.

3. It is clear that the Petitioner has not evinced any interest in the matter. Since the workman is not interested for prosecuting this case, I hold that the workman is not entitled to any relief and the reference is closed.

Award passed.

Typed to my dictation, given under my hand and the seal of this Tribunal, this the 5th day of May, 1995.

A. HANUMANTHU, Industrial Tribunal-I.

नई दिल्ली, 26 जून, 1995

का. आ. 2044.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसूच में, केन्द्रीय सरकार कानपुर क्षेत्रीय ग्रामीण बैंक के प्रबंधन के संबद्ध नियोक्तों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपद को प्रकाशित करती है, जो केन्द्रीय सरकार को 26-6-95 को प्राप्त हुआ था

[संख्या एल-12012/224/95-आई आर (बी आई)]

पी. जे. माईकल, डेस्क अधिकारी

New Delhi, the 26th June, 1995

S.O. 2044.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Kanpur Kshetriya Gramin Bank and their workmen, which was received by the Central Government on the 26-6-95.

[No. L-12012/224/95-IR(B)]

P. J. MICHEL, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA PRESIDING
OFFICER CENTRAL GOVERNMENT IN-
DUSTRIAL TRIBUNAL-CUM-LABOUR

COURT PANDU NAGAR DEOKI

PALACE ROAD KANPUR

Industrial Dispute No. 13 of 1994

In the matter of dispute between:

General Secretary,

Kanpur Kshetriya Gramin Bank Employees
Union,

118/78 Kaushalpuri Kanpur.

AND

New Delhi, the 23rd June, 1995

Chairman,
Kanpur Kshetriya Gramin Bank
Head Office C-38
Sarvodaya Nagar Kanpur.

AWARD

1. Central Government, Ministry of Labour, vide its notification no. L-12012/224/93-I.R. B-2 dated 11-2-94, has referred the following dispute for adjudication to this Tribunal—

“Whether the claim of Kanpur Kshetriya Gramin Bank Employee Union that the management of Kanpur Kshetriya Gramin Bank terminated the services of Sri Shiv Karan Shukla illegally on 11-7-88 is justified? If so, to what relief the workman is entitled?”

2. In the present case the Union despite availing of sufficient opportunities failed to file statement of claim. Application for adjournment moved by the authorised representative for the Union on 31-5-95 was rejected.

3. It appears that neither the Union nor the concerned workman is interested in prosecuting the present claim. The reference order is pending before the Tribunal since 23-2-94 and the same cannot be allowed to be linger on on one reason or the other.

4. Therefore, I am of the opinion, that the Union/workman is not entitled for any relief and it is held that the action of the management is justified.

5. Reference is answered accordingly.

B. K. SRIVASTAVA, Presiding Officer

Let six copies of this Award be sent to the Government of India, Ministry of Labour, New Delhi, for its publication in the Gazette of India.
Dt. 22-6-1995.

B. K. SRIVASTAVA

नई दिल्ली, 26 जून, 1995

का. आ. 2045.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मै. एसोसिएटेड स्टोन इण्डस्ट्रीज (कोटा) लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कोटा (राजस्थान) के पंचपट को प्रकाशित करती है।

[संख्या एल-29012/41/90-आई.आर. (विविध)]

बी. एस्. डेविड, डेस्क अधिकारी

S.O. 2045.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kota, Rajasthan as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. Associated Stone Industries (Kota) Ltd., and their workmen.

[L-29012/41/90-IR(Misc)]

B. M. DAVID, Desk Officer

न्यायाधीश, औद्योगिक न्यायाधिकरण (केन्द्रीय कोटा/राज.)

निर्देश प्रकरण क्रमांक: ओ. न्या. (केन्द्रीय)-14/90
दिनांक स्थापित: 9-7-90

प्रसंग: भारत सरकार, श्रम मंत्रालय के आदेश क्रमांक
एल 29012/41/90-आई.आर. (विविध)
दिनांक 5/7/90

औद्योगिक विवाद अधिनियम, 1947

मध्य

जनरल सेक्रेटरी, राष्ट्रीय खान मजदूर यूनियन,
विज्ञान नगर, कोटा।

—प्राथी यूनियन

एवं

मै. एसोसिएटेड स्टोन इण्डस्ट्रीज (कोटा) लि.
रामगंजमण्डी।

—प्रतिपक्षा नियोजक

उपस्थित

श्री आर.के. खानन,
आर.एच.जे.एस.

प्राथी यूनियन की ओर से प्रतिनिधि:— श्री के.एम. यादव
प्रतिपक्षी नियोजक की ओर से:— श्री डी.सी. जैन
अधिनिर्णय दिनांक: 30/3/95

‘अधिनिर्णय’

भारत सरकार, श्रम मंत्रालय द्वारा निम्न निर्देश औद्योगिक विवाद अधिनियम, 1947 (जिसे तदुपरांत “अधिनियम, 1947” से सम्बोधित किया जावेगा) की धारा 10(1) (घ) के अन्तर्गत इस न्यायाधिकरण को अधिनिर्णयार्थ सम्प्रेषित किया गया है:—

“Whether the action of the management of
M/s. Associated Stone Industries (Kota)

Ltd. Ramganimandi Distt. Kota in terminating the services of Smt. Shanti Bairwa D/o Shri Kana w.e.f. 3-5-89 is justified. If not, to what relief the workman is entitled?"

2. निर्देश न्यायाधिकरण में प्राप्त होने पर दर्ज रजिस्टर किया गया व पक्षकारों को सूचना जारी की गयी जिस पर दोनों पक्षों की ओर से अपने-अपने अध्यावेदन प्रस्तुत किये गये।

3. यह पत्रावली वास्ते साक्ष्य प्रतिपक्षी 15-6-95 को नियत थी परन्तु पक्षकारों की प्रार्थना पर आज पेशी में ली गयी। प्रार्थनी श्रीमती शांति मंग प्रतिनिधि श्री के.एन. यादव व प्रतिपक्षी की ओर से श्री डी.सी. जैन उपस्थित हुए। पक्षकारों ने प्रकट किया कि उन्होंने लोक न्यायालय की प्रेरणा से प्रेरित होकर इस मामले में दि. 28-3-95 को आपसी सहायता कर लिया है और अब समझौते के अपरान्त कोई विवाद शेष नहीं रहना प्रकट किया है। दोनों पक्षों को पेशशुदा समझौते पक्ष को पट्टकर गलाया व समझाया गया जो दोनों पक्षों ने सही होना स्वीकार किया है। इस न्यायालय द्वारा भी समझौते का अवलोकन किया जो दोनों पक्षों के हित में प्रतीत होता है, अतः समझौता तत्सवीक किया जाकर शामिल किया गया। इस समझौते से दोनों पक्ष सन्तुष्ट रहेंगे। अतः समझौते के आधार पर इस प्रकरण में इसी प्रकार अधिनियम पारित किया जाता है।

इस अधिनियम को समुचित सरकार को निगमानुसार प्रकाशनार्थ भिजवाया जावे।

आर.के. वाचान,
न्यायाधीश,

औद्योगिक न्यायाधिकरण (केन्द्रीय कोटा)

नई दिल्ली, 26 जून, 1995

का.आ. 2046.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पश्चिम रेलवे, के प्रबन्धन के संबद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, कोटा के पंचपट को प्रकाशित करता है, जो केन्द्रीय सरकार को प्राप्त हुआ था।

[संख्या एल-41012/47/92-आईआरबीआई]
पी.जे. मार्शल, डेस्क अधिकारी

New Delhi, the 26th June, 1995

S.O. 2046.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal, Kota as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Paschim

Rly and their workmen, which was received by the Central Government.

[No. L-41012/47/92-IR B-II]
P. J. MICHEL, Desk Officer

न्यायाधीश; औद्योगिक न्यायाधिकरण (केन्द्रीय), कोटा/राज.
निर्देश प्रकरण क्रमांक: ओ. न्या. (केन्द्रीय)-24/93
दिनांक स्थापित: 30-9-93

प्रसंग: भारत सरकार, श्रम मंत्रालय, नई दिल्ली के
पादेशिक एल-41012/47/93-आई.आर. (जी.
प.) दिनांक 24-9-93 एवं संपठित गृहपत्र
दिनांक 26-11-93

औद्योगिक विवाद अधिनियम, 1947

मध्य

डिविजनल सैक्रेटरी, पश्चिम रेलवे कर्मचारी परिषद,
भीमगंज मण्डी, कोटा।

—प्रार्थी नियुक्त

एवं

डिविजनल रेलवे जेनेरल, कोटा डिविजन वेस्टर्न रेलवे,
कोटा।

—प्रतिपक्षी नियोजक

उपस्थित

श्री आर.के. वाचान,

आर.एच.जे.एम.

प्रार्थी नियुक्त को ओर से प्रतिनिधि: श्री ए.डी. प्रोवर
प्रतिपक्षी नियोजक को ओर से:— श्री सी. एम. शर्मा
विधि सहायक

अधिनियम दिनांक: 20-4-94

अधिनियम

भारत सरकार, श्रम मंत्रालय, नई दिल्ली का आदेश व
संपठित गृहपत्र दिनांक 26-11-93 द्वारा निम्न निर्देश
औद्योगिक विवाद अधिनियम, 1947 की धारा 10(1)
(घ) के अन्तर्गत इस न्यायाधिकरण को अधिनियमार्थ सप-
प्रेषित किया गया है:—

“Whether the action of Railway Admn. in imposing penalty of stoppage of two increments with future effect on Sh. Ram Kishan S/o Sh. Ram Nath, then watchman under PWI Lakheri & now working under TFO(TRD) Lakheri on 1-10-88 is legal and justified? If not, what relief the concerned workman is entitled to and from what date?”

2. निर्देश न्यायाधिकरण में प्राप्त होने पर दर्ज रजिस्टर किया गया व पक्षकारों को सूचना जारी की गयी।

3. आज दोनों पक्षों के प्रतिनिधि उपस्थित हुए। प्रार्थी प्रतिनिधि द्वारा केम पेश करने को समय चाहा गया परन्तु पत्रावली के अवलोकन में स्पष्ट है कि यह निर्देश दिस. 93 में लम्बित है और इनके लम्बे समय तक केम पेश नहीं किया गया है जिससे यही प्रकट होता है कि श्रमिक पक्ष को इस विवाद में कोई खर्च नहीं रही है, अतः प्रकरण में “विवाद रहित अधिनियम” पारित किया जाता है।

इसे अधिनियम को समुचित सरकार को नियमानुसार प्रकाशनार्थ भिजवाया जावे।

आर.के. चावान,
न्यायाधीश,
औद्योगिक न्यायाधिकरण (केन्द्रीय), कोटा

नई दिल्ली, 27 जून, 1995

का.आ. 2047.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पोस्ट एंड टेलीग्राफ विभाग के प्रबन्धसूत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 26-6-95 को प्राप्त हुआ था।

[संख्या एल-40012/51/93-आईआर (डीयू)]
के.वी.बी.उन्नी, डेस्क अधिकारी

New Delhi, the 27th June, 1995

S.O. 2047.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Kanpur as shown in the Annexure, in the Industrial dispute between the employers in relation the management of Post & Telegraph Deptt. and their workmen, which was received by the Central Government on 26-6-95.

[No. L-40012/51/93-IR(DU)]
K. V. B. UNNY, Desk Officer

BEFORE SRI B. K. SRIVASTAVA PRESIDING OFFICER CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT, PANDU NAGAR, DEOKI PALACE ROAD, KANPUR

Industrial Dispute No. 61 of 1994

In the matter of dispute between —

Rakesh Kumar
C/o Bhartiya Dak Tar Mazdoor Sangh
2 Naveen Market
Kanpur

AND

General Manager
Post & Telegraph
Bhartiya Dak Tar Vibhag
Mall Road, Kanpur

AWARD

1. Central Government, Ministry of Labour, vide its notification No. L-40012/51/93-I.R.(DU)

dated 25-7-94, has referred the following dispute for adjudication to this Tribunal—

“Whether the action of the management of Post and Telegraph Department, Kanpur in terminating the services of Sri Rakesh Kumar, Sweeper w.e.f. 1981 is proper, legal and justified? If not, to what relief the workman concerned is entitled for?”

2. In the instant case neither the Union nor the concerned workman has come forward to press the reference by filing statement of claim despite available of sufficient opportunity, given by the Tribunal. On 29-5-95 when the case was taken up for hearing again none appeared nor the claim petition was filed.

3. Thus from the above conduct of the Union I have no hesitation in holding that neither the Union nor the concerned workman is interested in prosecuting the case. Consequently it is held that the action of the management in terminating the services of the concerned workman w.e.f. 1991 is justified and the concerned workman is entitled to no relief.

4. Reference is answered accordingly.

Let six copies of this award be sent to the Government of India, Ministry of Labour, New Delhi, for its publication in Gazette of India.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 27 जून, 1995

का.आ. 2048.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एम.डी.ओ. टेलीग्राफ के प्रबन्धसूत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 26-6-95 को प्राप्त हुआ था।

[संख्या एल-40012/191/91-आईआर (डीयू)]
के.वी.बी.उन्नी, डेस्क अधिकारी

New Delhi, the 27th June, 1995

S.O. 2048.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the Industrial dispute between the employers in relation to the management of SDO Telegraph, and their workmen, which was received by the Central Government on 26-6-95.

[No. L-40012/191/91-IR(DU)]
K. V. B. UNNY, Desk Officer

BEFORE SRI B. K. SRIVASTAVA PRESID-
ING OFFICER CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL CUM LABOUR
COURT PANDU NAGAR DEOKI PALACE
ROAD KANPUR

Industrial Dispute No. 120/92

In the matter of dispute between :

1. The S.D.O. (Telegraph)
Sultanpur.
2. The Divisional Engineer (Telegraph)
Sultanpur.

AND

Sri Kanhiya Prasad S/o Ganesh Prasad,
C/o Sri S.D. Srivastava,
16, M. G. Marg, Allahabad.

AWARD

1. Central Government Ministry of Labour,
vide its notification No. L-40012/191/91 dated
10-9-92 has referred the following dispute for
adjudication to this Tribunal :

Kya SDO (Telegraph) Sultanpur dwara
Sri Kanhaiya Prasad Srivastava putra
Sri Ganash Prasad ko dinank August
1986 se naukari se alag karna nyayo-
chit avam vaidya hai? Yadi nahi to
ukta karamchhari kis rahat ko pane ka
haqdar hai?

2. It is unnecessary to give facts of the case
as ultimately the employee did not put in appear-
ance and the concerned workman also not com-
ing to court. It also appears from the record
that reference is defective as the concerned
workman applied for time to seek amendment in
the reference. So far it has not been done.
Sufficient time has elapsed. It appears that the
concerned workman because of defective refer-
ence is not interested in the prosecution of the
case. Hence, the reference is answered in the
affirmative and against the concerned workman
for want of prosecution. He is not entitled to
any relief.

3. Reference is answered accordingly.

Let six copies of this award be sent to the
Government of India, Ministry of Labour, New
Delhi, for its publication in the Gazette of
India.

B. K. SRIVASTAVA, Desk Officer

नई दिल्ली, 28 जून, 1995

का.आ. 2049 : --औद्योगिक विवाद अधिनियम, 1947
(1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय
1657 GI/95-11

सम्बन्ध में पंडित रामचंद्र रिमचंड स्टेशन, नई दिल्ली के प्रबन्ध-
न के संयुक्त नियोजकों और उनके कर्मचारियों के बीच,
अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार
औद्योगिक अधिकरण, नई दिल्ली के पंचपट को प्रकाशित
करती है, जो केन्द्रीय सरकार को 27-6-90 को प्राप्त हुआ
था।

[संख्या एन-42012/87/85-डी-2(बी)]

के.वी.बी. उन्नी, डेस्क अधिकारी

New Delhi, the 28th June, 1995

S.O. 2049.—In pursuance of Section 17 of the
Industrial Disputes Act, 1947 (14 of 1947), the
Central Government hereby publishes the award of
the Central Government Industrial Tribunal New
Delhi as shown in the Annexure, in the Industrial
dispute between the employers in relation to the
management of Central Soil Research Station, New
Delhi and their workmen, which was received by
the Central Government on 27-6-1995.

[No. L-42012/87/85-D. 2(B)]

K. V. B. UNNY, Desk Officer

BEFORE SHRI GANPATI SHARMA : PRESID-
ING OFFICER : CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL : NEW DELHI

I. D. No. 49/1987

In the matter of dispute between

Shri Jai Bhagwan,
House No. 12,
Ber Sarai,
New Delhi-16.

Versus

The Director,
Central Soil Material Research Station,
Outer Ring Road,
New Delhi-110016.

APPEARANCES :

Shri B. K. Pershad—for the workman.

Shri P. L. Kashyap—for the Management.

AWARD

The Central Government in the Ministry of
Labour vide its Order No. L-42012/47/85-D.II(B)
dated 18th June, 1987 has referred the following
industrial dispute to this Tribunal for adjudication :

“Whether the action of the management of
Central Soil Research Station, New Delhi
in discontinuing Shri Jai Bhagwan, Ex-
Mazdoor from work is legal and justi-
fied? If not, to what relief the workman
is entitled to and from what date?”

2. The workman in his statement of claim has alleged that he was under the employment of the management and had completed more than 240 days of service upto 24-1-84. He had been initially appointed on muster roll from 8th May, 1977 and continued in service upto 24-3-84. On 24-1-84, he was discontinued from service without giving reason for discontinuation nor any compensation was given to him. Persons junior to him were retained in service by the management.

3. Actually the workman had fallen sick and was admitted in hospital on 27-3-84 to 19-9-84 and prior information was given to the management. Medical certificate and certificate of fitness were also supplied to the management. He had developed T.B. during the course of his employment due the nature of the duties he was performing. He reported for work regularly from 24-1-84 to 26-3-84 and later on 20-9-84 but he was not taken on rolls. He was entitled to reinstatement w.e.f. 24-1-84 with back wages and continuity of service as his termination was illegal.

4. The Management in its written statement alleged that the workman was on muster roll, daily wages and was not entitled to leave or salary in lieu thereof. Since daily wagers are not medically examined at the time of appointment and it could not be said as to when he became victim of T.B. He might be suffering with this disease prior to his joining the service. He was neither a work charge nor on regular establishment of the Government of India. The Management was not informed of any sickness of the petitioner nor any medical certificate of any competent authority was ever received. He absented w.e.f. 16-1-84 and was not entitled to any kind of leave nor any claim for rejoining the service because of being a daily wager. Any other person was not appointed against him and the workman had no permanent right to rejoin the same post as he was only a daily rated Mazdoor. He had absented himself and was not entitled to any relief.

5. The Management examined Shri D. S. Kaloti MW1 while the workman himself appeared as WW1. I have heard representatives for the parties and have gone through the record.

6. The Management representative has urged that the workman has given contradictory dates in his statement of claim and the documents filed by him. He was a daily rated man on daily wages and whenever there was any work he used to be taken on the job otherwise he had no right of getting reinstatement on regular basis. No violation of any law was committed by the management and the workman was not entitled to any relief.

7. The workman representative on the other hand has urged that he had completed 240 days of service on 24-1-84 and as such fell in the defini-

tion of continuous service under section 25B of the I.D. Act. He as such was entitled for being treated as a regular employee and could not be denied reinstatement. No retrenchment compensation was paid to him nor any notice or pay in lieu of notice was given to him.

8. On careful perusal of the points urged before me the workman's case does not find support from the documents filed by him. In his statement of claim he has alleged that he started working from 8th May, 1977 and remained in the employment upto 24-3-84. In para 10 of his statement of claim he claims reinstatement w.e.f. 24-1-84. If he had worked upto 24th March, 84 why he was claiming reinstatement from 24-1-84 and his services were thus terminated in March, 1984 and not in January 84. This contradiction has not been explained by his representative in any manner before this Tribunal. In his document Ex. W-1 he again has reiterated that it was in the month of March, 84 when he was working in Drilling Section (Soil-II). He fell sick and was admitted to Lala Ram Sarup Tuberculosis Hospital for the treatment of T.B. Where he was treated from 27-3-84 to 19-9-84. This assertion is a contradiction with his statement of claim. The same thing he has repeated in his document Ex. W-2. In the appointment orders of daily labourers it was clearly stated that his services were purely temporary in nature terminable without any notice or notice pay etc. Muster Roll from 26-12-83 upto 16-1-84 shows that he was present upto 16-1-84 and absented thereafter and did not join duty. It was not a case of termination of services but of abandonment, may be due to his sickness but if he was getting himself treated at hospital he should have given intimation to the management. He has also stated in his statement on oath in the court that he could not send any intimation regarding his absence from 16-1-84 as he had fallen sick. On the other hand in his affidavit he has stated that he performed duty upto 24-1-84 he had fallen sick in March, 84 and what prevented him from continuing his duty after 16-1-84 is not acceptable as there was a gap of 2 months from January, 84 to March, 84. He has also admitted in his cross-examination the fact that the management used to have projects on the basis of payments made by the parties and when payment are stopped the project used to come to an end. All these factors clearly established that he was a daily rated mazdoor who had abandoned the assignment in January, 84 and had not resumed duty thereafter. The explanation of his sickness is also not satisfactory as according to his own version he had fallen sick on 27th of March. Keeping in view my discussions above, I am of the opinion that it was not a case of termination but of abandonment of duties and the workman was not entitled to any relief in this matter. Parties are, however, left to bear their own costs.

June 16, 1995.

GANPATI SHARMA, Presiding Officer

Further it is ordered that the requisite number of copies of this award may be forwarded to the Central Government for necessary action at their end.

June 16, 1995.

GANPATI SHARMA, Presiding Officer

नई दिल्ली, 28 जून, 1995

का.आ. 2050 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बैंक ऑफ इंडिया के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-6-95 को प्राप्त हुआ था।

[संख्या एल-12012/118/92/आई.आर.बी-2]
वी.के. शर्मा, डेस्क अधिकारी

New Delhi, the 28th June, 1995

S.O. 2050.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Jabalpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Bank of India and their workmen, which was received by the Central Government on 27-6-1995.

[No. L-12012/118/92-IR(B-II)]
V. K. SHARMA, Desk Officer

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR (MP)

Case Reference No. CGIT/LC(R)(171)/1992
BETWEEN

Shri Ram Kumar Samud C/o Sri Vishnu Malik,
House No. 773/8, Badi Omti, Chhoti
Khermai Mandir, Jabalpur
(MP)-482001.

AND

The Regional Manager, Bank of India,
Regional Office, Govind Kunj, Russel
Chowk, Napier Town, P.B. No. 38;
Jabalpur (MP)-482001.

PRESIDED IN : By Shri Arvind Kumar Awasthy.
APPEARANCES :

For Workman : None.

For Management : Shri R. K. Patnaik.

INDUSTRY : Banking DISTRICT : Jabalpur
(MP)

AWARD

Dated : June 15, 1995

This is a reference made by the Central Government, Ministry of Labour, vide its Notification No. L-12012/118/92, IR-B-2, Dated 7-8-1992, for adjudication of the following industrial dispute :

SCHEDULE

“Whether the action of the management of Bank of India, Jabalpur, is justified in terminating the services of Sh. Ramkumar Samud w.e.f. 31-8-91? If not, to what relief is the workman entitled?”

2. Case of the management is that the Bank has appointed the workman, Shri Ramkumar Samud, with effect from 3-8-1992 by way of settlement and the management has also provided the workman benefits detailed in the application of the management dated 30-9-94.

3. Workman has not filed the statement of claim and remained absent. It appears that in view of the settlement as alleged by the management, the workman is not interested in pursuing the dispute. Consequently, no dispute award is hereby passed. Parties to bear their own costs.

ARVIND KUMAR AWASTHY, Presiding Officer

नई दिल्ली, 3 जुलाई, 1995

का.आ. 2051 :—कर्मचारी राज्य बीमा अधिनियम 1948 (1948 का 34) की धारा 16 (1) के अनुसरण में केन्द्रीय सरकार 01 जुलाई, 1995 से अगले आदेश तक श्री एल.बी. परियार के स्थान पर भारतीय प्रशासनिक सेवा (एमटी : 61) के अधिकारी श्री वी.आर. बसु को 7300-7600/- रुपये के वेतनमान में महानिदेशक, कर्मचारी राज्य बीमा निगम के रूप में नियुक्त करती है।

[सं. ए-12016/2/95-एम.एम.-1]
जे.पी. शुक्ला, अवर सचिव

New Delhi, the 3rd July, 1995

S.O. 2051.—In pursuance of Section 16(1) of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints Sh. B. R. Basu, an officer of the Indian Administrative Service (MT : 61) as the Director General,

Employees' State Insurance Corporation, in the pay scale of Rs. 7300-7600 vice Sh. L. B. Periyar with effect from 1st July 1995 until further orders.

[No. A-12026/2/95-SS. I]
J. P. SHUKLA, Under Secy.

नई दिल्ली, 4 जुलाई, 1995

का.आ. 2052 :—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की अपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा 16-7-1995 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय-4 धारा-44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है (अर्थात् अध्याय-5 और 6) धारा-76 की अपधारा (1) और धारा-77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है के उपबन्ध हिमाचल प्रदेश राज्य के निम्नलिखित क्षेत्र में प्रवृत्त होंगे, अर्थात् :—

क्रमांक	राजस्व ग्राम का नाम	हदबस्त सं.	जिला
1.	चक खेड़ा	152	सोलन
2.	उपरखेड़ा	149	सोलन
3.	निह्ला खेड़ा	150	सोलन
4.	डाढ़ी कन्या	147	सोलन
5.	डाढ़ी भोला	146	सोलन
6.	निखोवाल	142	सोलन
7.	किरपालपुरा	143	सोलन
8.	दत्तोवाल	137	सोलन
9.	नंगल उपरला	78	सोलन
10.	नंगल निह्ला	83	सोलन
11.	गोयल जमाला	77	सोलन
12.	राजपुरा	128	सोलन
13.	रंगुवाल	127	सोलन
14.	नालागढ़	139	सोलन

[संख्या : एस-38013/41/95-एसएस-I]

जे पी शुक्ला, अवर सचिव

New Delhi, the 4th July, 1995

S O 2052—In exercise of the powers conferred by sub-section(3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 16th July 1995 as the date on which the provisions of Chapter IV (except Section 44 and 45 which have already been brought into force) and Chapter V and VI [except sub-section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force] of the

said Act shall come into force in the following areas in the State of Himachal Pradesh namely:—

Sl No.	Name of Revenue Village	Head Bast No.	District
1.	Chack Khera	152	Solan
2.	Upper Khera	149	Solan
3.	Nihla Khera	150	Solan
4.	Dadi Kania	147	Solan
5.	Dadi Bhola	146	Solan
6.	Nikhowal	142	Solan
7.	Kirpal Pura	143	Solan
8.	Dattowal	137	Solan
9.	Nangal Nihla	83	Solan
10.	Nangal Upprila	78	Solan
11.	Goel Jamala	77	Solan
12.	Rajpura	128	Solan
13.	Ranguwal	127	Solan
14.	Nalagarh	139	Solan

[No. S-38013/41/95-SS-I]
J.P. SHUKLA, Under secy

नई दिल्ली, 5 जुलाई, 1995

का.आ. 2053 :—केन्द्रीय सरकार का समाधान हो गया है कि लोकहित में ऐसा अपेक्षित है कि तांबा खनन उद्योग को, जो औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की प्रथम अनुसूची की प्रविष्टि 13 के अंतर्गत आता है, उक्त अधिनियम के प्रयोजनों के लिए लोक उपयोगी सेवा घोषित किया जाना चाहिए,

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (द) के उपखंड (6) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनार्थ तत्काल प्रभाव से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[संख्या एस-11017/7/85-डी-1 (ए)]

एस. बेणुगोपालन, अवर सचिव

New Delhi, the 5th July, 1995

S.O. 2053.—Whereas the Central Government is satisfied that the public interest requires that the Copper Mining Industry, which is covered by entry 13 in the First Schedule to the Industrial Disputes Act, 1947 (14 of 1947), should be declared to be a public utility Service for the purposes of the said Act;

Now, therefore, in exercise of the powers conferred by sub-clause (vi) of clause (n) of Section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares with

immediate effect the said industry to be a public utility service for the purposes of the said Act for a period of six months.

[No. S-11017/7/85-D.I(A)]
S. VENUGOPALAN, Under Secy.

नई दिल्ली, 14 जुलाई, 1995

का.आ. 2054 :—केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 91-क के साथ पठित धारा 88 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम प्रवर्तन से इससे उपाबद्ध अनुसूची के कालम 2 में विनिर्दिष्ट भारत पर्यटन विकास निगम लिमिटेड की ईकाईयों में नियुक्त कर्मचारियों को उक्त अनुसूची के कालम 3 में विनिर्दिष्ट अवधि के लिए छूट प्रदान करती है।

2. पूर्वोक्त छूट की शर्तें निम्नलिखित हैं, अर्थात् :—

- (1) पूर्वोक्त कारखाना, जिसमें कर्मचारी नियोजित है, एक रजिस्टर रखेगा, जिसमें छूट प्राप्त कर्मचारियों के नाम और पदाभिधान दिखाये जायेंगे,
- (2) इस छूट के होते हुए भी, कर्मचारी उक्त अधिनियम के “अधीन ऐसी प्रमुखिधाएं प्राप्त करते रहेंगे, जिनको पाने के लिए वे इस अधिसूचना द्वारा दी गई छूट के प्रवृत्त होने की तारीख से पूर्व संवत्त अभिदायों के आधार पर हकदार हो जाते हैं,
- (3) छूट प्राप्त अवधि के लिए यदि कोई अभिदाय पहले ही दिए जा चुके हों तो वे वापस नहीं किए जाएंगे,
- (4) उक्त कारखाने का नियोजक, उस अवधि की बाबत जिसके दौरान उस कारखाने पर उक्त अधिनियम प्रवर्तमान तथा (जिसे इसमें इसके पश्चात् “उक्त अवधि” कहा गया है), ऐसी विवरणियां ऐसे प्रारूप में और ऐसी विनिर्दिष्टियों सहित देगा जो कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 के अधीन उसे उक्त अवधि की बाबत देनी थी,
- (5) निगम द्वारा उक्त अधिनियम की धारा 45 की उप-धारा (1) के अधीन नियुक्त किया गया है कोई निरीक्षक, या निगम का इस निमित्त प्राधिकृत कोई अन्य पदधारी :—

- (1) धारा 44 की उप-धारा (1) के अधीन, उक्त अवधि की बाबत दी गई किसी विवरणी की विनिर्दिष्टियों को गत्यागित करने के पक्षोपाय;

(ii) यह अभिनिश्चित करने के प्रयोजनार्थ कि कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 द्वारा यथा अपेक्षित रजिस्टर और अभिलेख उक्त अवधि के लिए रखे गये थे या नहीं, या

(iii) यह अभिनिश्चित करने के प्रयोजनार्थ कि कर्मचारी, नियोजक द्वारा दिये गए उन फायदों, को, जिसके प्रतिफल स्वरूप इस अधिसूचना के अधीन छूट दी जा रही है, नगद और वस्तु रूप में पाने का हकदार बना हुआ है या नहीं, या

(iv) यह अभिनिश्चित करने के प्रयोजनार्थ कि उस अवधि के दौरान, जब उक्त कारखाने के संबंध में अधिनियम के उपबन्ध प्रवृत्त थे, ऐसे किन्हीं उपबन्धों का अनुपालन किया गया था या नहीं, निम्नलिखित कार्य करने के लिए सशक्त होगा :—

(क) प्रधान या अव्यवहित नियोजक से अपेक्षा करने कि वह ऐसी जानकारी दे जिसे उपरोक्त निरीक्षक या अन्य पदधारी आवश्यक समझता है,

(ख) ऐसे प्रधान या अव्यवहित नियोजक के अधिभोगाधीन किसी कारखाने स्थापन, कार्यालय या अन्य परिसर में किसी भी उचित समय पर प्रवेश करना और उसके प्रभारी से यह अपेक्षा करना कि वह व्यक्तियों के नियोजन और मजदूरी के संवाय से संबंधित ऐसे लेखा, बहियों और अन्य दस्तावेज, ऐसे निरीक्षक या अन्य पदधारी के समक्ष प्रस्तुत करे और उनकी परीक्षा करने दे, या उन्हें ऐसी जानकारी दे, जिसे वे आवश्यक समझते हैं, या

(ग) प्रधान या अव्यवहित नियोजक को, उसके अभिकर्ता या सेवक की, या ऐसे किसी व्यक्ति की जो ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिसर में पाया जाए, या ऐसे किसी व्यक्ति की जिसके बारे में उक्त निरीक्षक या अन्य पदधारी के पास यह विश्वास करने का युक्तियुक्त कारण है कि वह कर्मचारी है, परीक्षा करना, या

(घ) ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिसर में रखे गए किसी रजिस्टर, लेखा बही या अन्य दस्तावेज की नकल तैयार करना या उससे उद्धरण लेना।

अनुसूची

क्रमांक	भारत पर्यटन विकास निगम लिमिटेड के इकाईयों का नाम।	छूट की अवधि
1.	कोवलम अशोक बीच रिसोर्ट, कोवलम	1-2-80 से 31-3-87
2.	अशोक ट्रेवलस एण्ड टूरस आर बी (नार्थ) नई दिल्ली।	1-4-81 से 30-9-82 तथा 1-4-1987 से 31-3-90

[एस-38014/22/92-एसएस-1]

जयप्रकाश गुप्ता, अवर सचिव

(स्पष्टीकरण ज्ञापन)

इस मामले में छूट को भूतलक्षी प्रभाव देना आवश्यक हो गया है क्योंकि छूट के आवेदन पर कार्यवाही करने में समय लगा था, किन्तु यह प्रमाणित किया जाता है कि छूट को भूतलक्षी प्रभाव देने से किसी भी व्यक्ति के हित पर प्रतिकूल प्रभाव नहीं पड़ेगा।

New Delhi, the 14th July, 1995

S.O. 2054.—In exercise of the powers conferred by section 88 read with Section 91-A of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby exempts the regular employees of the Units of the India Tourism Development Corporation Ltd, specified in Column 2 of the Schedule annexed hereto from the operation of the said Act for the period specified in Column 3 of the said Schedule.

2. The above is subject to the following conditions namely:—

- (1) The aforesaid establishment wherein the employees are employed shall maintain a regular showing the name and designations of the exempted employees;
- (2) Notwithstanding this exemption, the employees shall continue to receive such benefits under the said Act, to which they might have become entitled to on the basis of the contributions paid prior to the date from which exemption granted by this notification operates;
- (3) The contributions for the exempted period, if already paid, shall not be refunded;
- (4) The employer of the said factory/establishment shall submit in respect of the

period during which that factory was subject to the operation of the said Act (hereinafter referred to as the said period) such returns in such form and containing such particulars as were due from it in respect of the said period under the Employees' State Insurance (General) Regulations, 1950;

- (5) Any inspector appointed by the Corporation under Sub-Section (1) of Section 45 of the said Act, or other official of the Corporation authorised in this behalf shall, for the purpose of :—

- (i) Verifying the particulars contained in any return submitted under sub-section (1) of Section 44 for the said period; or

- (ii) ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period; or

- (iii) ascertaining whether the employees continue to be entitled to benefits provided by the employer in cash and kind being benefits in consideration of which exemption is being granted under this notification; or

- (iv) ascertaining whether any of the provisions of the Act had been complied with during the period when such provisions were in force in relation to the said factory to empowered to:

- (a) require the principal or immediate employer to furnish to him such information as he may consider necessary; or

- (b) enter any factory, establishment, office or other premises occupied by such principal or immediate employer at any reasonable time and require any person found incharge hereof to produce to such inspector or other official and allow him to examine accounts books and other documents relating to the employment of personal and payment of wages or to furnish to him such information as he may consider necessary; or

- (c) examine the principal or immediate employer, his agent or servant, or any person found in such factory, establishment, office or other premises or any person

- whom the said inspector or other official has reasonable cause to believe to have been an employee; or
- (d) make copies of or take extracts from any register, account book or other document maintained in such factory, establishment, office or other premises.

(1)	(2)	(3)
2.	Ashok Travels & Tours R.O. (North), New Delhi	1-4-1981 to 30-9-1982 & 1-4-1987 to 31-3-90

[S-38014/22/92-SS-I]
J.P. SHUKLA, Under Secy.

SCHEDULE

Sl. No.	Name of the Units of India Tourism Development Corporation Limited	Period of Exemption.
(1)	(2)	(3)
1.	Kovalam Ashok Beach Resort Kovalam	1-2-1980 to 31-3-1987

EXPLANATORY MEMORANDUM

It has become necessary to give retrospective effect to the exemption in this case as processing of the applications for exemption took time. However, it is certified that the grant of exemption with retrospective effect will not effect the interest of any body adversely.

